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VICKSBURG DAILY WHIG.

W. H. M'CARDLE, Editor.

THURSDAY MORNING, APRIL 18, 1839.

FOR PRESIDENT.
HENRY CLAY.
FOR VICE PRESIDENT.
JOHN TYLER, *of Virginia.*
Subject to the decision of a National Convention.

FOR GOVERNOR.
HON. EDWARD TURNER—*of Franklin Co.*

FOR CONGRESS.
ADAM L. BINGAMAN—*of Adams Co.*
REUBEN W. DAVIS—*of Monroe Co.*

FOR SECRETARY OF STATE.
D. S. JENNINGS, Esq.—*of Hinds Co.*

FOR STATE TREASURER.
GEN. SILAS BROWN—*of Hinds Co.*

FOR AUDITOR OF PUBLIC ACCOUNTS.
PHILLIP DIXON, Esq.—*of Hinds Co.*

☞We are authorised to announce ANDERSON HUTCHINSON, Esq., of Raymond, as a candidate for Chancellor.

TAKE DISTANCE—*Attention!*—The judge of the criminal court, now in session in this city, has decided that those who had obtained license to sell the ardent before the passage of the late gallon law as 'tis been called, have a right still to deal therein by instalments; all who are *dry* to the extent of a mint julep, or a quart and so on, can still be accommodated at each ward in our city, and may defy the dog days by a cool glass of Ice punch, mint sling, or *ale* a malt liquor.

The middle of April, yesterday exhibited the Thermometer at 86 as a mere preface to the summer months, what will the ides of June not exhibit! If it goes on for quantity, our Thermometers will have to be lengthened, or else we'll have to cease to speak of degrees, tho' we may *feel* sensibly on the subject.

THE CONNECTICUT ELECTIONS.—The sober second thoughts of the *people*—the last sober thoughts of those of Connecticut—have buried the administration in that state as deep as the tomb of the Capulets. Wonder what the footstep treader thinks of this indication of public sentiment! He indeed must be deaf who does not hear the *vox populi;* and obedience *now* will be too late to be deemed a virtue. The virtues produced by necessity are of a questionable character, and are always, with the truly honest, "suspected of being suspicious." Well may Mr Van Buren say of Connecticut "et tu Brute!" What has become of Dominie *Niles*? "Truth is indeed omnipotent and public justice certain."

[COMMUNICATED.]

TREASURER AND MACHINIST'S BENEFIT.

It will be seen that the entertainments at the Theatre this evening are for the benefit of those two worthy individuals, *Mr Branegan, the treasurer,* and Mr Tucker, the principal machinist of the establishment. The former, by his polite and gentlemanly conduct towards the visiters of the theatre, has, throughout the season, given general satisfaction; and the latter, although his business is not so immediately connected with the audience, his management of the scenic department, on every occasion, would have been worthy of one of [illegible] years and experience. The bill of fare is very attractive—"The Pilot" and "Family Jars"—Scott is to play *Long Tom Coffin,* which we should think of itself was "enough said" to fill the house. We expect to see you all there, which will be the only substantial proof of your good feelings towards two worthy young gentlemen, who have invariably discharged, to the satisfaction of their employers and the audience, the duties of two of the most responsible situations connected with the theatre.

TWO OF US.

CITY COUNCIL.

MONDAY, *April* 1, 1839.

The Board met pursuant to adjournment, present Robert J. M'Ginty, Mayor, and Messrs Johnson, Brown, Arthur, Ritchie, Hendren, Steele, Smedes, Folkes and Johns, Council.

The Mayor presented a communication which was received and read, Messrs Emanuel and Bodley appeared and took their seats.

Mr Arthur gave notice that at the next meeting he would bring before the Council, the subject of the public cisterns, and also the situation of the pond of water at the corner of Walnut and China streets, near Mrs Mortons.

On motion of Mr Emanuel,

Resolved, That a committee of three be appointed to draft rules of order, for the government of the Board of Council and report at the next meeting, whereupon the Mayor appointed Messrs Emanuel, Ritchie and Brown on said committee.

Mr Brown offered the following resolution, which was adopted.

Resolved, That the city Clerk be, and he is hereby authorised to procure stationary and such other articles as may be necessary to enable him to perform the duties of his office.

On motion of Mr Hendren,

Resolved, That a committee of three be appointed to take into consideration the propriety of enlarging the city Hall, paving the Market House, and report to the Board as early as practicable; whereupon the Mayor appointed Messrs Hendren, Johnson and Johns, and on motion the Mayor was added to said committee.

Mr Vannatta appeared and took his seat.

Mr Smedes offered the following resolution, which was adopted.

Resolved, That a committee of three be appointed to enquire into the expediency of repairing Grove street from the intersection of Washington street, and the bridge at the foot of said street, and that they report at the next meeting of this Board; whereupon the Mayor appointed the following committee, Messrs Smedes Johns and Steele.

And on motion of Mr Bodley, the Board adjourned till Friday next, at 4 o'clock.

M. EMANUEL, Mayor pro tem.

A true copy from the minutes. Teste

SAML. B. HARWOOD, Cl'k.

FRIDAY, APRIL 5th, 1839.

The Board met pursuant to adjournment.

Present, all the Council except Messrs Smedes, Steele and Vannatta.

On motion, Mr Emanuel was appointed Mayor pro tem.

A communication from Mr J P Harrison was presented by Mr Hendren, which was received and read.

Mr Smedes appeared and took his seat.

On motion of Mr Hendren, the following resolution was adopted:

Resolved, That a committee of three be appointed to examine and inquire how the nuisance complained of at the corner of China and Walnut streets, and the [illegible] on Mulberry street, on the lot belonging to Mr [illegible], and also the nuisance in Open Woods street were created, and report to this Board as early as practicable, the best mode of remedying the same, together with the expense thereof. The Chairman appointed Messrs Hendren, Arthur and Bodley on said committee.

Mr Steele appeared and took his seat.

On motion of Mr Ritchie, Mr Markham was permitted to address the board in explanation of his official duties.

On motion of Mr Brown, the committee on the rules of order was allowed further time to make their report.

On motion of Mr Smedes, further time was allowed the committee on Grove street to make their report.

On motion of Mr Folkes, the following resolution was adopted:

Resolved, That a committee of three be appointed to examine and inquire how the nuisance complained of on Grove street, near Benjamin Springer's, was created, and the best mode of removing the same, and report to this Board as early as practicable; whereupon Messrs Folkes, Johns and Steele were appointed said committee.

The committee on bye-laws asked further time to make their report, which was granted.

A communication from the Mayor was received, read and laid on the table.

The committee on ordinance reported an ordinance entitled

which was read the first time.

And on motion of Mr Bodley, the Board adjourned till to-morrow, four o'clock.

M EMANUEL, Mayor pro tem.

A true copy from the minutes, teste

SAMUEL B HARWOOD, Clerk.

CITY NEWS—COMMERCIAL.

Trade in general becomes more languid and symptoms of the "dull" season, already begin to appear. Yet it is believed by many, that the time for transacting the spring business will be protracted this year beyond the ordinary date, in consequence of the late period at which the winter business opened. Late advices from England, have tended to make the cotton market less firm, and to throw doubt over both buyers and sellers. Purchasers have become more wary, and holders expecting more favorable accounts from Europe by the Great Western, are not eager to sell at the prices offered. The consequence of this state of things is, transactions are limited, and in all instances where the staple has changed hands this week, it was at a reduction of one-fourth or one half cent per lb. It was in middle or medium quality that transactions have been done. The sales may be set down at ten-thousand bales, and prices thus quoted:—

Louisiana and Mississippi choice 17 cents; prime 16 a 16½c; fair 15 a 15½c; middling 14 a 14½; inferior 13 a 13½ cts; Tennessee and Alabama choice 14½ a 15 cts; prime 13½ a 14 cts; second quality 12½ a 13 cts; and inferior 11½ cts.

The favorable state of exchanges on this city bespeaks the high estimation in which our banking institutions generally are held in the North, and yet, they cautiously continue to restrict their business.—Western produce and provisions, as we have already intimated, go off with comparative langor, business not falling away to induce an actual decline of prices, nor brisk enough to warrant an advice; we, as usual give correct rates in our "market note," to which we refer the reader for a knowledge of uncurrent prices, of the various articles in market.

N. O. True American.

TWO DAYS LATER FROM ENGLAND.

The packet ship Montreal, Capt. Griffin, has arrived in New York, having sailed from Portsmouth, on the 4th of March. We give extracts from the latest papers.

The Inconstant frigate arrived at Plymouth from Halifax, on the 28th February, in 14 days. She carried out the rumor that it was the intention of the United States Government to take possession of the disputed territory and this report was strengthened by the assembling of the Senate of Maine in secret.—To counteract this movement British troops were to be forwarded up the Bay of Fundy, to New Brunswick, and for this purpose the Rattlesnake, then at Halifax, was to remain until the staff of the 67th arrive from the West Indies, which regiment was to be conveyed to St. John's.

This news had not reached London, at least we see no mention of it in any of the papers.

Parliament was engaged in the discussion of the subject of railroads in Ireland.

Sir Francis Head's account of his doings in Upper Canada excites a great deal of attention. He says the inhabitants of Upper Canada detest democracy, and revere the monarchial institutions of the British Empire.

Letters have been received from Malta, stating that her Majesty Queen Dowager is considerably improved in health, and that she made definite arrangements for taking her departure for Rome and Genoa on the 15th March.

A letter from Constantinople of the 7th, says:—

"The English Courier from Persia arrived at Constantinople on the 30th ult. The rumors are that the whole of the English legation, including Colonel Shiel had departed for Bagdad. There was no one remaining at Tabreeze, except Mr. Bennet, the consular agent. Mr. McNeil had set out for Taflee. The steamer which arrived from Trebisond on the 5th inst. did not bring any fresh news."

The wife and daughter of General Skrzynecki are about to leave Bohemia and reside in London.

The house of M. Saportas, the Prussian consul, at Antwerp, stopped payments on the 27th February.

LONDON, Saturday evening, March 2d. We perceive by the accounts from Paris that some of the great railway companies there, will be probably dissolved, and the projects abandoned, but at all events they must obtain a revision of the laws, with less onerous restrictions, before they can expect to prosecute the undertakings with any probability of success. The price of Shares in the line form Paris to Orleans, on which the works are actively in progress, continues to fall gradually.

BELGIUM.—In the British Parliament, March 1st Lord Palmerston, in answer to an enquiry from Mr. Hume, said that there was no resolve on the part of the British government, to adopt measures of coercion towards Belgium in the event of that state resisting the seperation of Luxemburg and Limburg.

SPAIN.—News had reached London of the massacre of four Carlist generals by order of General Maroto. Don Carlos issued a proclamation denying all knowledge of this dreadful act, and declared Maroto a traitor.

A duel took place at Coombe Hill, on the 28th Feb. between Lord Powerscourt and Mr. Roebuck, in consequence of the latter, charging Lord P. with bribery and corruption at an election. On receiving his adversary's fire Mr. R. discharged his pistol in the air and apologized.—*Lon. Adver.*

The following toast was given at the recent celebration in Washington:

By R H Cox: John Marshall. He realized in every particular the beau ideal which Lord Bacon formed of a perfect judge. "He was more learned than witty; more reverend than plausible; more advised than confident. Integrity was his portion and proper virtue. He felt that his principal duty was to suppress fraud and force. He was ever averse to hard constructions and strained inferences. He believed patience and gravity of hearing to be an essential part of justice, and that an overspeaking judge is no well tuned cymbal. He thought it no grace first to find that which he might have heard in due time from the bar, or to show quickness of conceit in cutting off evidence or counsel too short, or to prevent information by questions, though pertinent. Comprehending fully the duties of his station, he considered that whatever is above them is too much, and proceedeth rather of glory and willingness to speak, or of impatience to hear, or of shortness of memory, or of want of a stayed and equal attention. He never met the cause half way, or gave occasion to the party to say his counsel or proofs were not heard."

An Irishman observing a Dandy taking one of his usual struts in the town of ——, steps up to him, and enquired, "*How* much rent do you ask for those houses?" "What the d—l do you ask me that question for?" replied the Dandy. "Faith and by jasus, I thought the whole town belonged to ye," rejoined the Irishman.

Courtship.—Sergeant Botting says, that the great secret of success with the women, is to 'ask soon, ask often, and never take a refusal.'

One pint of water converted into steam, fills a space of two thousand pints, and raises the piston of a steam engine with a force of many thousand pounds. It may afterwards be condensed and re-appear as a pint of water.

Warning to boys.—The Sag Harbor Corrector announces the death of Jeremiah Gardner, aged 8 years, from inflamation of the brain, caused by standing on the hands or head. This absurd and mischievous practice is very frequent with school boys.

To the Public.

SOME time in the Fall of 1836, I purchased of one J P Campbell a house and lot, situated in Jackson, Miss. for $6,500, for which I executed my two promissory notes. Said notes were assigned by said Campbell to one George Grimshaw for certain lands. The aforesaid Campbell has failed entirely to make me a title to said property, and it has been already sold by the Sheriff of Hinds county for executions against the property at the time he, Campbell, sold it to me. In both cases, I permitted judgment to go against me by default, in order to have it tried in a court of equity. They have gone against me in one case, but they are enjoined in another injunction. Now this is to give notice, that I forwarn any and every person from bidding for said property, mentioned in the executions of the 16th inst, as the step taken on the part of Grimshaw, or his agent, is illegal and contrary to law. And lastly, I think that the sheriff should have extended the same courtesy to me as he does to others—that is he should have called and apprised me of the fact that such executions were put in his hands. But no; instead of that, he advertises property without ever hinting that he held such against me. [april 18]

H STIDGER.

Spring and Summer Clothing.

A GENERAL assortment of gentlemen's Spring and Summer clothing: Just received and for sale by april 18

FOSTER & ELY.

SOUTHERN TONIC—[illegible] a permanent and lasting cure for the Ague and Fever, for sale by

HAVILAND & WOODMAN,

april 18

Druggists, Main street.

A FEW splendid Medicine Chests, for sale low by

HAVILAND & WOODMAN,

april 18

Wholesale & retail druggists, Main st.

Situation Wanted,

EITHER in a Dry Goods, Grocery or Shipping establishment, by a married gentleman experienced in mercantile pursuits, if early application be made, addressed O* at the Union Hotel. [april 18 d3t]

Coffee and Cigars.

100 SACKS superior Coffee.
50 thousand choice Cigars, just received direct from Havana, and for sale low for cash, by

a17

M'CUTCHEN & BRADLEY.

Situation Wanted.

A YOUNG man well acquainted with the Grocery business, is desirous of obtaining a situation either as salesman or clerk, application made at this office. [a17]

Wool Wanted.

WE will pay the highest market price for good clean wool. [a17] M'CUTCHEN & BRADLEY.

Soda Water.

EMANUEL & BARNETT are now preparing a first rate article of soda water, they intend keeping the best syrups, with plenty of Ice, the lovers of good soda water will find it delightful refreshment in hot weather. [a17]

Sheriff Sale.

Alias Fieri Facias from Warren Circuit Court to May Term. 1839.

Martin & Akin vs John P Phillips.

BY virtue of the above stated execution to me directed, I will expose at public sale, for cash, to the highest bidder, at the door of the court house, in the city of Vicksburg,

On Monday, the 6th day of May next,

within the hours prescribed by law, a negro woman named Fanny; levied on as the property of the defendant, John P Phillips, in satisfaction of the above stated execution.

E W MORRIS, Sheriff.

april 17-18 ddt 16wts

By S STAFFORD, D S.

Public Sale.

BY virtue of an order made at the January term of the Hon. the Superior Court of Chancery for the State of Mississippi, I shall expose to public sale, on the premises of the late John Sevill, deceased, in Warren county, on SATURDAY the 18th day of May next, between the hours of twelve and two o'clock of said day, all that certain tract or parcel of land belonging to the estate of John Sevill, deceased, being known and designated as the southeast quarter of section number twelve, township seventeen, range four east; and the east half of the northeast quarter of said section, township and range as above. Also two negroes, viz: Hubbard and Easton. Terms of sale, twelve months credit—the purchaser or purchasers giving bond with approved security, to be accepted by the undersigned.

JAS BLAND, Commissioner.

Sale to be conducted by J P Phillips, Auctioneer.

april 18 d&wts

Public Sale.

WHEREAS, James Hagan heretofore to-wit: on the 28th day of November in the year 1836, executed his promissory note of that date for the sum of five thousand four hundred and sixty-six dollars and sixty-seven cents, due the 1st of January, 1838, and negotiable and payable at the Commercial and Rail Road Bank of Vicksburg, which promissory note was then and there endorsed by William Swartwout and delivered to Joseph W Walker, and whereas, the said James Hagan then and there executed a deed of Trust to J. O. Harrison and William Swartwout as trustees to secure the punctual payment of said promissory note, and also of other promissory notes then executed by him, the property conveyed in and conveyed to said trustees by said deed of trust, being lots in the city of Vicksburg and known and designated upon the original plan of the town of Vicksburg as lots numbered two hundred and nine and two hundred and ten, in square number thirty-two.

And whereas, in case of default in the payment of said notes or any part thereof secured as aforesaid, the said trustees or either of them were by said deed of trust empowered and required upon the request of said Joseph W. Walker or the holder of said notes or either of them, to sell to the highest bidder, at public auction, for ready money, the aforesaid lots of ground, or so much thereof as might be sufficient, having advertised in a newspaper published in Warren county sixty days notice of the time and place of sale and from the proceeds thereof after defraying the expenses of said trust, pay to the said Walker, his representative or assigns so much as may be due and unpaid thereof, all of which will appear by reference to said deed of trust now on record in the Probate clerks office of Warren county.

And whereas, the said note for $5466 67 and due as aforesaid on the first day of January 1838, has been assigned to and is now held by the President, Directors and Company of the Commercial and Rail Road Bank of Vicksburg and the same is due and unpaid, and whereas the undersigned, one of said trustees has been requested by the said President, Directors and Company to proceed to execute said trust by selling said lots or so much thereof as may be sufficient according to the provisions of said deed of trust.

Now take notice, That I, James O. Harrison in compliance with said request and pursuant to the provisions of said deed of trust will, at the court-house in the city of Vicksburg, on Wednesday the 19th day of June next, between the hours of twelve and three o'clock P. M. of that day, sell at public auction, to the highest bidder, for ready money, the said lots of ground, or so much thereof as may be sufficient to pay off and satisfy the expenses of this trust and the said note for $5466 67 with all the interest due thereon at that time.

The title is believed to be good but I will only convey to the purchaser such right and title as is vested in me by virtue of the trust aforesaid.

a17

J. O. HARRISON, Trustee.

The Mystery of Banking!!!

WILL be definitely explained, and its operations shown to be perfectly simple in *two lectures;* to be delivered in the old Masonic Hall, on the evenings of Wednesday and Thursday the 17th and 18th inst., at 4 o'clock each evening, by *W. A. Dunlop,* formerly chief assistant in the office Bank U. States, New Orleans, who afterwards assisted in the organization of the Commercial and Rail Road Bank of this city, and who has for the past three years been Cashier of the Branch of the Mechanics & Traders Bank of New Orleans at Vidalia.

It is presumed that the subject of these Lectures will be interesting to every man of business. They are the result of nearly eight years practical experience; and will comprise all the operations of a Bank from its commencement, the duties of every officer employed in it, a summary of the laws in relation to bills, notes, powers of attorney, &c. and the outline of a new system of commercial education. The subject of the second lecture being in continuation of that of the first. Tickets, price two dollars, admitting to both, may be had at Mr Langley's Book Store and at Mr Childre's Hotel. [a16 d3t]

Notice.

THE corner stone of a church for the use of the Episcopal congregation in this city, will be laid with appropriate religious services on Friday next. The vestry respectfully invite the Corporation of the city, ministers and members of the other congregations, members of the different societies, and the citizens generally, to join the Episcopal Congregation, at their present place of worship, at 9 o'clock, A. M., and proceed with them to the site of the church, at the intersection of [illegible] and Locust streets.

An address may be expected from the Right Rev. Bishop Polk.

a17 3t

Managers Party.

THE Managers of Mons. Barbiere's Cotilion parties will give a fancy party, on Friday evening, the 19th instant, and positively the last party this season. (Dress fancy or [illegible].) The ladies invited to the previous party are respectfully solicited to attend. a17

[illegible]

For [illegible]—Passenger Boat.

THE splendid steamer Ambassador, J. J. James, Master, will leave for the above and intermediate ports, on SATURDAY morning 20th inst. at 7 o'clock. For passage, having the most spacious and elegant accommodations, apply to (a18) LAWRENCE & GARR.

For Louisville—Passenger Boat.

THE Diana, Frank Carter, Master, will positively leave for the above and intermediate ports on SATURDAY morning 20th inst., at 6 o'clock precisely. For passage having elegant accommodations, all state rooms, apply to (a18) LAWRENCE & GARR.

For Louisville.

THE Sultana, A. W. Tufts, Master, will positively leave for the above and intermediate ports on TUESDAY morning 23d inst., at 6 o'clock. For passage apply to [a18] LAWRENCE & GARR.

For Louisville and Cincinnati,

Passage Boat—all staterooms.—The Steam Boat Columbus, (of Mobile,) W. L. Distin Master, will leave for the above ports, on FRIDAY next, the 19th inst. at 10 o'clock A. M. For freight or passage, having accommodations equal to any in the trade, apply to

april 16 tt

PHELPS, O'CONNOR & Co. Agents.

For Nashville—Passenger Boat.

The new and elegant fast running steam-boat Clarksville Jno. M. Irwin, Master, will leave for the above and intermediate ports on FRIDAY morning the 19th inst. at 10 o'clock. This splendid boat has large double state rooms expressly for the accommodation of ladies and families; and with her other superb accommodations, careful and gentlemanly commander, and great speed, renders her the most desirable boat in that trade. For passage apply to

LAWRENCE & GARR,

april 16 4t

Levee St.

For Louisville.

The Gen. Brown, Robt. M'Connell, Master, having been entirely refitted, with Curry & Millers new and superior boilers, built at Louisville, and inferior to none on the western waters, will leave for the above and intermediate ports, on SATURDAY morning 20th inst, at 10 o'clock. For passage, having elegant accommodations, all state-rooms, apply to

LAWRENCE & GARR.

april 16 5t

Levee St.

To the subscribers' for Stock in the

MISSISSIPPI UNION BANK.—The Directors of the Bank have determined that the Mortgages must be executed on or before the first day of June next; those that can be executed earlier, should be returned with the papers as soon as examined. The Deeds and Mortgages belonging to the subscribers for Stock, can be had by applying to Mr. W. Harvey, at the Insurance Office.

☞It will be seen from the transcript of the subscription book of Warren county, herewith returned, that many of the subscribers have filed no papers. The consequence is, if they desire to become stockholders, that they must have their titles examined by their own Attornies. To facilitate this as much as may be, several sheets of printed "Remarks," &c., shewing the mode of examination, &c., are returned with the papers. It would be well to have the title examined in each instance by an experienced Lawyer, as if wrong when returned here with the mortgage, it will result in the rejection of the application of the subscriber.

a16

Wm. M PINKARD, Book Commissioner.

Mississippi Union Bank.

RULES to be observed by the Subscribers to the Stock of the Mississippi Union Bank, in the execution of the Bonds and Mortgages, herewith returned.

1st. The bond for the amount of stock subscribed and the mortgage to secure it, &c, are to be filled up and dated the same day.

2d. The property proposed to be mortgaged is to be minutely, fully and accurately described in the mortgage.

3d. When the party is married, the name of the wife is to be inserted in each blank intended for it in the deed, and in the certificate of acknowledgment; and her name is to be signed to the deed, with the seal annexed.

4th. When the party is not married, the pen may be drawn across the words descriptive of the wife; and the blanks intended for her name, and the certificate of the acknowledgment by her, may be neatly erased.

5th. The acknowledgments as to the execution of the deed, may be made before and certified by any Judge of the high court of Errors and Appeals—Judge of the circuit court—Judge of the probate court—Clerk of the circuit or probate court, or Justice of the Peace, under official seal, where there is one; where not, under private seal. The blank in the acknowledgments, after the name of the officer certifying, are intended to be filled with a description of the character in which he takes the acknowledgment, [as Judge or Justice, &c.] and the blank in the attestation is intended to show whatever he certifies under his official or private seal.

The clerk of the probate court, will be careful to fill up accurately, the blanks intended to shew when the deed was *received for record, and where recorded.*

The party at the time of executing the bond and mortgage, must take and subscribe an affidavit, to the following interrogatories:

1. Are you a citizen of the United States, by birth or by operation of the laws of the United States for the naturalization of foreigners, or otherwise?

2. At the time you subscribed for stock in the Mississippi Union Bank, were you residing in this State, with the fixed intention of making it your permanent place of abode?

3. Are you twenty one years of age?

4. Are you a married man?

5. Are there any judgments against you, either in the State Courts, or in the courts of the United States, in this State, either upon original suit, or by forfeited delivery bond? If so, state the amount of each, respectively.

6. If you do not derive your title directly from the Government of the United States; were there any judgments of any description whatsoever, known to you, against those whom you claim, at the date of the conveyance to you, and which still remain unsatisfied?

7. Is there any conveyance by you, or by those under whom you claim, operating as a lien on the land proposed to be mortgaged by you, to the Mississippi Union Bank?

8. Is the stock you, have subscribed for, intended for yourself, and not directly, nor indirectly for another?

The party is also required, to produce two certificates from the Clerk of the probate court—one to be dated on the day of the recording of the mortgage, or of receiving it for record, and the other to be dated at least [illegible] months after recording it. The first may be in the following, to wit:

"State of Mississippi, [illegible] county.

Clerk of the Probate Court of said county, do hereby certify, that there is no mortgage, deed of conveyance, or other incumbrance of record in my office, operating as a lien, upon the property mortgaged to the Mississippi Union Bank, by deed dated day of 18 , executed either by him, or by any one, under whom he claims. Given under my hand and the seal of said court, this day of 18 ."

Which may be placed on the mortgage.

Form of 2d certificate to be dated at least three months afterwards.

"State of Mississippi, County.

I Clerk of the Probate of said County, do hereby certify, that since the day of 18 when the mortgage of to the Mississippi Union Bank was recorded, in my office, no other mortgage, deed of conveyance, or other incumbrance of any description whatsoever, has been recorded, or delivered for record in my office, upon the property by him mortgaged to the said Bank.

"Given under my hand and seal office, of this of 18 "

When the mortgage is returned to this place, after recording, it must also be accompanied by the certificate of the Clerk of the Circuit Court of the County in which the mortgager resides; in the form following, to wit:

"State of Mississippi, County, I , Clerk of the Circuit Court of said county, (the same being the county of the residence of ,) do hereby certify that there is no judgment remaining unsatisfied upon the records of my office against the said , (or if there be any, state the amount)—and that there was none known to me against those under whom he claims, at the date of the conveyance to him respectively, now remaining unsatisfied.

"Witness my hand and the seal of said court, this day of 18 "

This certificate must bear date, the day after the mortgage was marked by the Probate clerk, as received for record. This certificate may also be placed on the mortgage; if there be any space.

When the clerk cannot give a certificate in this form let him give a special one, conforming to the particular facts of the case, and embracing distinctly what he does and what he does not certify, the certificate need not be recorded.

The mortgages of those whose titles were retained as perfect are, in part, filled up, and are herewith returned, as are also the bonds for the amount of stock. Blank mortgages are also sent, with blank bonds, that they may be filled up and executed, by those who can perfect such defects as were pointed out. A transcript of the subscription book is also returned, that the blanks in the bonds and mortgages may be accurately filled up, with the day of subscribing, the amount subscribed, &c.

It is earnestly hoped that care will be taken to have these instructions fully complied with, in all respects, because the progress of the Bank, in regard to individual stock, depends much upon the speed and accuracy with which the bonds and mortgages are executed, recorded and returned.

It is also desired that the bonds and mortgages be filled up in a full, round hand.

As soon as the mortgages and bonds now returned, and the bonds and mortgages of those who can perfect or have perfected their titles, can be executed and recorded, they are to be returned to this place, immediately. Every exertion ought to be used to have this done as soon as possible, as it is presumed that those who cannot perfect their titles, but have not done so, will not be excluded, if they can do so, within any short time, but the bonds and mortgages of those whose titles were perfect, or have been made so are not to be kept back on their account.

The attorney of the Bank has attempted to explain himself, in every particular, but will take pleasure in giving any further instruction that may be desired.

It may be necessary to add (what the law requires) that the mortgage must be recorded in each county in which the land lies in which case, the certificates of the Probate clerk (previously referred to) must be obtained from each clerk, in whose office the mortgage is recorded, and where the mortgage includes negroes it must be recorded in the county in which the mortgager resides, if he reside in a county different from that in which the negroes remain.

The Bank takes no mortgage on improvements of a plantation. It sometimes happens that the land itself is not of sufficient value to secure the amount of stock taken, without including the value of the improvements, horses, stock, &c. In such case, the amount of stock subscribed must be reduced to the value of the land and negroes, and the bond and mortgage must be executed for the reduced amount only.

It sometimes happens, also, (when negroes are mortgaged) that although the land and negroes are of equal value to the stock subscribed, yet, that no regard has been had to the propositions of these two species of property, required by the charter.

The charter allows one fourth only of the stock to be secured by mortgage on negroes, and requires the other ¾ to be secured by mortgage on land, thus

Suppose the land to be valued (exclusive of improvements) at

⅓d of this sum is

These sums added together make

Now ¼ of this sum, say 4,000, may be secured by mortgage on land. If the property valued when added together amounts to the value of the stock subscribed, and does not preserve the proportions of ¼ slaves and ¾ land, the slaves must be reduced until they descend to the amount that is properly secured, according to the charter, and the bond and mortgage must be taken for that amount and no more.

The blank bonds and mortgages are intended for those who may be able to perfect their titles. When titles are perfect they are to be returned here, with the titles and mortgages, that it may be seen that the titles are perfect. When a part of a tract is withdrawn, and the party wishes to mortgage the balance, to which he may have a good title, he must cause a new [illegible] to be made of such balance.

If titles are not correct, when returned here with the bonds and mortgages, the subscriptions of those to whom they belong will be rejected.

The mortgages should be recorded and the bonds [illegible], with the certificates [illegible], original papers, returned here, as early as practicable. G. R. CLIFTON

april 16

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