Supreme Judges.

The Whig Editors, particularly those of the pettifogger tribe, are attempting to kick up a great fuss, because the Governor nominated Democrats instead of Federalists to fill the vacancies on the Supreme Bench. They talk just as if they supposed the people fools enough to believe in the pretensions so often made by the Federal leaders, that their party exclusively contains "all the talents" and "all the learning" in the land. On no other ground can they predicate their fierce assaults upon the Governor; and if he had acted otherwise than he did, he would, in some degree, have indirectly sanctioned the false pretensions allude to above, and admitted the truth of the implied libel upon the Democratic party. He did right, therefore, in this view of the case, in nominating Democrats instead of Federalists. And we feel very certain if his nominations, particularly the first, of Blackford, Morrison, and Wick, had been confirmed, Indiana would have had an abler Supreme Court than she ever had before. We say this without the slightest disposition to unjustly disparage Judges Dewey and Sullivan. But no man who knows all the gentlemen will for a moment doubt that Morrison and Wick are far the ablest men and the best lawyers. Others among the nominees are fully equal if not superior to the old incumbents.

We should suppose, further, from the tone of these Whig editors, that they not only claimed exclusive possession of qualifications by the Whig lawyers, but also, that the old Judges had obtained a "vested right" to re-election. It has always been a favorite principle with the federalists that Judges should hold their offices during life; but, very fortunately, we think, that doctrine is not recognized by our State Constitution, nor by any very considerable number of the people. The claim therefore is baseless. The old Judges had served out their full terms, and had no claim whatever to be re-instated, unless in the opinion of the constituted authorities, the public good demanded it. Other men stood on a footing of perfect equality with them in this respect.

But the most *impudent* point in these assaults is that which impugns the motives of the Governor for choosing to nominate political friends instead of political foes. These immaculate assailants hold up their hands and roll their eyes in pretended holy horror at the idea of preferring Democrats instead of Whigs, to administer the duties of the Judiciary department. Such a course, they affirm, is perfectly outrageous in the Executive and degrading to the Bench! But what has been the invariable and unchangeable course of the Whig party in this matter? Every intelligent man in this State knows full well what it has been. No instance can be pointed out, in which that party has ever voluntarily appointed a democrat to any office of the kind, either on the Supreme or Circuit bench. Blackford himself forms no exception, for he was understood to be a Whig when he was first appointed. No, they never appointed any but whigs while the power was in their hands. Look at their course in the election of the three Circuit Judges this winter in the Legislature. They drew the party lines to a man, no democrat stood half a chance, though he might possess twice the qualifications of a whig. Remember the course of Bigger two years ago, when a vacancy occurred in the central circuit by the resignation of Morrison: rather than appoint a democrat, he suffered the office to go a begging among the whig lawyers for months, and the regular terms to be lost in some of the counties, to the great injury of all interested in pending suits; all this simply because no whig wanted the office, and he was determined no democrat should have it.

In the face of this unvarying course of the whig party, we have now to listen to the grossly impudent balderdash of their Editorial *ban-dogs*, about soiling the judicial ermine by the nomination of democrats instead of whigs! Out on their base hypocrisy! The beam in their own eyes inflicts upon them such an ineffable moral and mental blindness, that they cannot perceive, what every dispassionate man must see,—the whole world of honest men laughing them to scorn!

To the Travelling Public.

We have *experienced* the difficulty arising from the Western papers not keeping the public sufficiently advised of the state of travel across the country, especially in low stages of the rivers. This may arise in part, from the fact, that Stage Agents do not *advertise* as much as they ought. But as a matter of information due to our readers, we copy the following from the *Missourian*, premising that a large party were left at St. Louis on account of the uncertainty of reaching their destination by *steam*, and therefore the writer determined on trying the inland route, and was to write to them of his success in getting through. It is not necessary for us to add one word to what he says; for while he has stated facts in the shortest possible compass, no one who has travelled the route will gainsay them, and those who have not, *cannot*.

From the Missourian, St. Louis.

WHEELING, December 30, 1844.

Dear Sir—I left St. Louis, Mo., on the morning of the 24th of December, for this place, in the great Eastern Mail Line, which is run by Gen. O. Hinton & Co., from St. Louis to Terre Haute, Indiana; and by J. & P. Voorhees & Co., from the latter place to Dayton, Ohio; and by Neil, Moore & Co., from Dayton, O., to Wheeling, Va., which lines are all in connection on the National Road. The coaches on all these lines are the very best that can be had—the teams are in fine condition—the drivers careful and obliging—and every attention is paid to passengers by the agents on the road. I am satisfied of its being the most desirable and shortest route between St. Louis, Mo., and Wheeling, Va. The running time of the whole route is four and a half days, and I lay by at three different places at night—thirty-one-hours—thus making the whole time through in five days and eighteen hours, including all stoppages. The order in which these lines are run, are as follows: Leave St. Louis at 7 A. M., arrive at Terre Haute next day by 6 P. M. Leave Terre Haute at 3 A. M., arrive at Indianapolis at 8 P. M., same day. Leave Indianapolis at 4 A. M., arrive at Dayton by 1 P. M., next day. Leave Dayton at 6 P. M., and arrive at Columbus at 6 A. M. Leave Columbus at 7 A. M., and arrive at Wheeling by 6 A. M., next morning. The distance, and time, are—From St. Louis to Terre Haute, 160 miles, in 35 h'rs. From Terre Haute to Indianapolis, 70 miles, in 15 h'rs. From Indianapolis to Dayton, 109 miles, in 23 hours. From Dayton to Columbus, 68 miles, in 12 hours. From Columbus to Wheeling, 127 miles, in 23 hours. Distance from St. Louis to Wheeling, 535, miles—time in travelling, 108 hours—making the running time exactly four and a half days. The fare is $24 through — from St. Louis to Dayton, O., $14, and from Dayton to Wheeling, Va., $10.

J. OTTENGER.

Singular--Very.

But a few months since, and the Whigs were inquiring "Who is James K. Polk? Now, one can hardly take up one of those same journals which does not pretend to give not only his whereabouts, his proceedings at home, &c., but even to tell what course he will pursue when inaugurated! This is *not* more singular, perhaps, than their course on all other questions.

Make way for Indiana.

A correspondent informs us, that the wife of Mr. Humphreys, of Putnam county, Indiana, lately gave birth to *four* children—two boys and two girls. The mother and children were all doing well. Who beats this? Who *wants* to beat it?

A Millerite lady has been sent to Erie county N. Y. jail, on a conviction of petit larceny, in stealing from a store the materials to make her an "Ascension robe."

CORRESPONDENCE.

Letter from France.

HOTEL DES PRINCES, PARIS, Nov. 26, 1844.

MESSRS. CHAPMANS:—*Gents*—Prior to my departure from Indianapolis you offered me a place in your paper, that a description of my movements and observations might be conveyed to my acquaintances in print. I cheerfully embrace the proposal, and will occasionally write to you and sketch in a feeble way the events and scenes which in my judgment may interest. It was my original design to have visited all the principal eastern cities in the United States previous to sailing for Europe. On my arrival in New York my friends advised me to embark at once. If I procrastinated the period of sailing into December, the season would then be unfavorable; therefore I did not have the pleasure of presenting my letters of introduction which were kindly furnished. On the 25th of October I sailed from New York in the packet ship Iowa, 1000 tons burthen, Capt. Leries, for Havre. We had in the cabin 22 passengers, (children and servants not counted) embracing an elderly French gentleman of Montreal, designing to try the Parisian climate as a restorative for the rheumatism in his feet; he was accompanied by his daugter an *old* young lady of large stature; spoke broken English and was agreeable. A Doctor and charming lady of Boston; a tall young man of plain materials, going to Paris to finish his education, *medical*, of Boston; Mr. F——r of Lynchburg Va. and two sisters, clever people, connexion of Stoughton F. of your place; a young Italian nobleman, elegant and accomplished, with his young bride, late of New York, making their bridal tour; a mustachioed Philadelphia dandy who had travelled, knew much, talked much, and was disliked much; a New York merchant, his pretty young wife and her sister, all well bred; a *small importing merchant* of of New York, full habit, small black eyes, large black beard, curly hair, fond of eating, drinking, smoking, playing and talking bad French; a gentlemanly Spaniard from Cuba; a young clergyman from Penn. with an affection of the throat, caused by preaching, proceeding to Paris for medical aid,—fond of good eating, an incessant talker and good man; a retired merchant of small stature, small heart, large nose, and large purse, etc. Our ship was of the first class, the commander a sailor and a gentleman, her cabin was furnished in a superior manner—living most sumptuous—all the delicacies of earth, air, and water were offered; comfortable state rooms, good beds and obliging servants. After leaving Sandy Hook, we had light winds the three first days and made but little progress. During the time most of the passengers were effected with the sea-sickness. On the morning of the 4th day out, a fine breeze reached us, our majestic vessel spread her huge wings and moved o'er the waters with the buoyancy of a bird. We passed several vessels under a full press of canvass, bound to different ports in Europe. Our passengers occupied the time in conversation, music, playing and preaching. The 17th day out, land ho! was announced from the foretop, whilst we were seated at breakfast—joyful intelligence—rapid and pleasant run—preparations made for landing. The winds increased and blew with violence. Two long days we beat and tacked in the vicinity of Havre, a severe gale blowing during the period. On the 20th day out, we effected an entrance into the port of Havre. The passengers gave a sumptuous dinner to the Captain of the "Iowa," and the day following our arrival most of us were on our way in Diligences for Rouen, passing over a highly cultivated and truly picturesque country, 10 miles per hour, arrived at 5 o'clock P. M—dined—at 6 o'clock we were comfortably seated in the rail road car bound for La Belle Paris, 80 miles distant from Rouen, which we accomplished in 4 hours. This rail road is entirely finished from Paris to Rouen and is intended to unite with Havre. 3½ millions sterling having been expended; it is a fine mechanical production, the artisans must have been well skilled in their professions. We passed through several lengthy tunnels, one of which is 3 miles in length. The stock of the company has doubled in value and pays from 12 to 15 per cent on the original investment. It is surprising how deficient the French are in the English language when we consider how nigh they are to the nation and their constant intercourse with the English people. If a person desires to be pleased whilst visiting France, he should first learn the French language. Here is an instance of the necessity: One of our passengers entered a Cafe in Havre for some refreshments, seated himself on the velvet covered sofa, rested his arm on the marble table by his side, leisurely viewed his person reflected in the numerous mirrors that garnished the walls. The garon approached; our friend pointed to the coffee cups; in a few moments the waiter brought him a small decoction of coffee in a small china cup, several lumps of loaf sugar, a small bottle of brandy—the passenger desiring some food and cream, motioned to that effect; the waiter retired and soon returned with a globular shaped cushion, on which were inserted 40 or 50 clean tooth picks!! made of quills. I have had tooth picks and finger glasses served after dining in this city—appropos of finger glasses! At the Astor House New York previous to serving the desert, blue and green glass bowls called finger glasses are placed upon the table partly filled with water, in which floats a slice of lemon. A verdant young man recently sitting at the table, took up one of these glasses and drank off the contents, reserving the lemon for gradual consumption. A burst of merriment from the observers succeeded. I related the tooth pick tale to a fellow traveller in the rail road car, a resident of this city, who spoke English! he said he was in Germany, ignorant of the language, stopped at a country inn, fatigued; desired supper; they brought him a plate of sour crout warmed. This he gave to his dog. He had been informed that mushrooms were abundant in that part of the country—concluded to have some prepared for him. With his pencil he drew a picture of one upon paper. The landlord gave token that he understood him perfectly, and in a few moments brought him an umbrella!! He retired supperless; and has since learned German, and spoke it fluently. The Hotel des Princes is celebrated; here do congregate the noble and the commoner, a public receptacle for people of all nations who choose to make it their home. Apartments are offered varying from 3 to 10 frs. in which to sleep, sit, etc., lights, fire wood, attendants, etcetera. The person is not required to board in the hotel; it is customary for the guests of all the public houses to board where they please. In various parts of the city are Cafes and Restaurants furnished in the most costly manner, where the citizens and strangers order what they desire in the way of nourishments, and pay accordingly. The Table D'hote of this Hotel is the most recherche in the capital; a person desiring to dine must have his name entered for the purpose. 6 o'clock P. M. is the hour; price 6 frs., you are ushered into a saloon of large mirrors, cut glass and golden chandeliers glittering with light—paintings and marble statuary. The table is decorated with fruits, flowers, massive silver, white china, and cut glass, surrounded by servants in black dress and white cravats—the guests are quietly and politely seated by the master of ceremonies—dinner is served by courses already carved, or prepared with quietude. Ladies and gentlemen appear at the table in full dress. One hour and a half is occupied at the table.

I shall write to you soon describing some of the thousand objects interesting to an American.

Yours truly, S.

JEFFERSONVILLE, IND., Jan. 9th, 1845.

The Hon. Jas. Guthrie of Louisville, whose great services in the late canvass not a little assisted the Democratic party in the west, is now brought by his friends prominently before the public as a suitable person for a cabinet officer. The assistance given by him, during a long series of years, to his party, renders him deserving of a high reward. With natural ability of an uncommon order, he is possessed of an indefatigable exertion, and he has taxed both his talent and his industry to their utmost to support his party and carry out its measures.

So true is this of him; so gallant has he ever been in the fight; renewing it under every disadvantage; retreating but to gain a surer point from which to launch forth his artillery with deadlier aim; so cheering has been his voice to his friends when dispirited, that he has challenged the admiration of even his enemies! By his friends he is considered the best of leaders, and by his foes as the strongest of opponents.

Mr. Guthrie is one of those men so often seen in this country, and so readily honored by this people—a self-made man—one who has risen to the high places without those early advantages of wealth, education, and great friends which most youth need to aid them on to distinction. Without these he has made himself one of the best lawyers of his native State, Kentucky, and one of the leading statesmen in her halls of legislation. In spite of the great whig majority in the city of Louisville Mr. Guthrie has for years, until lately, been returned as its representative, first in the lower House and for several years subsequently as its Senator. This is a noble tribute. In our country, where party politics are entertained with so much warmth, it is exceedingly rare to see a man, himself a warm partisan, elected to office by his political opponents; and no greater respect could be paid to his ability and integrity than such an election. Mr. Guthrie has ever been true to the trusts confided in him, and has proved himself a wise, judicious and firm legislator. Such being the facts, it is not surprising that the people of Kentucky are anxious to see him in the cabinet. The people of this State would also willingly witness his elevation to that distinguished place, and in this neighborhood are anxious for it. All who know Mr. Guthrie's character at all, know that the business of his office would be despatched with the utmost promptitude and exactness; for with mental capacity to understand readily the most comprehensive subject, his industry is sufficient to completely master its minutest details.

Mr. Guthrie is essentially a Western man, and the interest of the great valley of the Mississippi—the granary of two hemispheres, should be trusted to a western man; and in Mr. G. they would find a friend whose perseverence would never cease to pursue what he thought justly due to them. Such a man is needed in the cabinet, and we hope Mr. Polk will appoint such an one, in justice to THE WEST.

Senator Benton is triumphant in the Texas matter in the Missouri Legislature. Just such resolutions have been passed as he would not object to. They are favorable to the annexation of Texas, but they virtually tell him to act his own pleasure in the matter.

Congress.

At the last dates the chief topic of interest in the House of Representatives was the annexation of Texas. There was then before that body, some *fifteen* different annexation propositions. One of the speeches, that of Mr. Owen, we copy in full. It discusses the question ably and eloquently, and our readers will not regret the trouble of reading it. Had the question been from the first treated as Mr. O. treats it, there would be less trouble about it than now exists in Congress, and in certain parts of the country. We hope yet to see the matter come out right in the end.

The "Constitution" of the 14th thus notices a speech of Mr. W. J. Brown upon the same subject:

Mr. BROWN of Indiana next addressed the committee. He said, as two of my colleagues has addressed the committee in opposition to the annexation of Texas, he felt it due to the State which he in part represented, and also due to himself, to say something in favor of the measure. He should not say much upon the constitutional view of the question. The gentleman from Philadelphia, Mr. JOS. R. INGERSOLL, objected to the new word *reannexation*, but he would say to the gentleman that he often stood in need of new words to round off the sharp corners of the Constitution, which he and his party so often found in the way of their projects. He humorously noticed the course of Whigs in the political campaign of 1840 and 1844. He related many amusing anecdotes, and made many good hits in the course of his remarks. He entered at large into the benefits and advantages to all interests and all parts of the country, and especially to the great valley of the West, which would result as a necessary consequence of annexation. He spoke with the earnestness and the feelings of a Western man on this point. He adduced many facts and advanced many illustrations to sustain his view of the subject. Though a Western man and a citizen from a free State, yet he was willing and desirous to sustain those institutions from the South, which had been guaranteed to them by the Constitution. He was for applying the principle of the Missouri Compromise to the admission of Texas. By that he was willing to abide. He said, the gentleman from Ohio, Mr. BRINKERHOFF, who so vehemently opposed this measure yesterday, said "that a rose by another name would smell as sweet, and that a skunk by any other name would smell as bad." Now he had read that there was a process by which the bad odor of the animal's skin could be changed, and it was a piece of natural history which he would recommend to the attention of that gentleman, for his own especial benefit. Mr. BROWN spoke with the earnestness, the feeling, and patriotic fervor of a Western man, and when his speech is reported at length, it will be found to contain arguments and sentiments, upon which he and his constituents may be proud to stand.

The Duel.

Our Eastern papers have furnished various accounts of a duel which was in contemplation between Mr. Yancey, a Democratic member of Congress from Alabama, and Mr. Clingman, a Whig member from North Carolina. The difficulty grew out of a speech which was made by Mr. Yancey, in reply to some ribald slang which Mr. Clingman had uttered the previous day; and for which the latter presented Mr. Yancey with a challenge. They met at Beltsville, Md., and after firing a shot apiece, were reconciled. They should both be immediately expelled from their seats.

☞The bill providing for the Presidential election to be held in all the States on the same day, has passed the U. S. Senate, and will no doubt become a law.

☞Paul Dillingham, democrat, has been elected to Congress, from the fourth district of Vermont. He beat Chandler, fed., and Putnam, abolition, about 1000 votes.

U. S. SENATOR.—The Hon. Daniel Sturgeon has been re-elected for six years from Pennsylvania.

VIRGINIA SENATOR.—The Richmond Whig of Monday says, the Senate, it is reported, have decided, *informally*, that there shall be no election of U. S. Senator this session.

BY AUTHORITY.

AN ACT to amend the several acts for the loaning and collecting of the Sinking Fund, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That all sales heretofore made by the State through her commissioners of the Sinking Fund, or by the President thereof, of lands or lots bid in for the benefit of the State for a failure of mortgagors to said fund to pay principal or interest on their loans, be and the same are hereby declared valid and binding on the State; and in all such cases, and in cases of future sales of lands and lots bid in for the State, and in all cases of sales heretofore made or hereafter to be made upon foreclosure of mortgages to said fund, a certificate of purchase signed by the President of the Board, or by any member thereof by order of the Board, shall be deemed sufficient evidence of such purchase; and where full payment of the purchase money shall have been or may be made, it shall be lawful for the President of the Board, to execute and deliver to the purchaser or purchasers, his, her, or their heirs or assigns in the name of the State, a patent or deed for such lands or lots, which shall vest in him, her, or them and in his, her, and their heirs and assigns forever, all the right, title and interest which the mortgagor had in the lands or lots mortgaged and bid in and sold, at the date of the mortgage, freed and discharged from all taxes and assessments made or levied for any purpose whatever between the date of said mortgage and the date of such deed or patent; but no such deed or patent shall express or imply a warranty of title.

SEC. 2. The mortgagor of any lands or lots so as aforesaid bid in by the State for non-payment of principal or interest on loans, his, her, or their heirs or assigns may reinstate the mortgage within six months from the passage of this act, by paying the amount of interest, damages and costs due thereon, and the interest for one year in advance; and in all cases where lands or lots shall be hereafter bid in for the State, the mortgage may be reinstated within sixty days from the day of sale on the same terms.

SEC. 3. After the lapse of six months, any person having a *bona fide* title claiming under such mortgagor, or any bona fide junior mortgagor or junior incumbrancer, shall have the privilege of becoming a favored purchaser of the whole or any portion of the premises covered by any mortgage foreclosed and bid in by the State as aforesaid according to priority of mortgage or other equity; and in case of several applications to purchase, or in case of conflict between applicants in regard to such privilege, the President and Commissioners of the Sinking Fund shall have power to determine the same, whose decision in the premises shall be final.

SEC. 4. After the expiration of said six months, any and all lands and lots bid in by the State as aforesaid, and which have been once offered at public sale, shall be subject to private sale at the Sinking Fund office at Indianapolis, on a credit of five years, the interest to be paid annually in advance, and the land to forfeit and revert to the State for any default of payment according to the terms of the purchase.

SEC. 5. On all such sales, and on all sales by foreclosure of any mortgage, bond shall be taken from the purchaser for the payment of the purchase money and interest, and that he will not commit or suffer waste of the premises; and when deemed proper, other security may be required.

SEC. 6. The said Commissioners of the Sinking Fund shall have power, either by one of their own number, or by any authorised agent, to enter upon and lease any lands or lots so bid in for the State for any term of time not exceeding one year, and from year to year until such lands or lots can be sold; and they shall have power as a general agent to superintend and manage any and all of such lands and lots for the benefit of the State, and to constitute agents under them for those purposes.

SEC. 7. Whenever the principal or any instalment of interest due on any Sinking Fund or Bank Stock mortgage shall be unpaid, for six months after the same falls due, and the Commissioners of the Sinking Fund or the President of the Board thereof shall deem it for the interest of the State to have the occupant removed from the land or lot so mortgaged, and shall so certify to the Auditor of Public Accounts, the said Auditor shall cause notice to be given to the occupant to remove therefrom; and in case of his refusal or neglect to comply with such notice, the Auditor shall issue his warrant to the Sheriff of the county in which such land or lot may be, directing him to remove such occupant within ten days from the receipt of such warrant, which duty such sheriff shall perform; and in executing said warrant the said sheriff shall have the same powers that are given him in the execution of a writ of *habere facias possessionem*.

SEC. 8. Wherever any lands or lots have been or may be bid on by the State, for a failure to pay as above mentioned, and the mortgagor or occupant neglects or refuses to remove therefrom on being notified so to do by the Commissioners of the Sinking Fund or the President of the Board thereof, the Auditor of Public Accounts on receiving proper notice thereof from said Commissioners or President, shall issue his warrant as is in the last preceding section provided,—directed as aforesaid, which shall be executed as thereby required.

SEC. 9. The purchaser or purchasers of any land or lot so as above sold by the State, and having a certificate of such purchase, and his, her, or their heirs or assigns shall have the same remedy for removing the occupant from any such land or lot as is in the preceding sections provided; provided however, that complaint shall first be made in writing to said Auditor, setting forth that the person complaining is the purchaser or the heir or assignee of the purchaser as above mentioned, and that the occupant or occupants, naming him, her, or them, have been notified to remove and refuse or neglect to do so, which complaint shall be verified by the oath or affirmation of such complainant; and provided also, that an injunction or stay of proceedings or other legal remedy may be granted or awarded by the proper circuit court in favor of such occupant, and the proceedings against him stayed on bill or affidavit being filed and bond and security given to the State, or the purchaser or the said heirs or assigns of said purchaser or purchasers (as the case may be) in a penalty sufficient, and conditioned to prosecute the suit or bill with effect, and in default to pay all damages that the obligee may sustain by reason of said injunction or other proceeding.

SEC. 10. The sheriff shall retain said warrant in his hands, and if any person so removed or any other person shall return to, settle or reside upon such land or lot, without the consent of the Auditor or the said Commissioners, or President, the said sheriff shall forthwith remove such person; and such person shall be deemed guilty of a misdemeanor, and be liable to presentment or indictment therefor, and shall on conviction be fined or imprisoned in the discretion of the jury trying the same; the fine not to exceed one hundred dollars and the imprisonment not to exceed thirty days; the costs of the sheriff for executing the warrant, to be collected under the warrant by levy and sale of the defendant's property in his bailiwick.

SEC. 11. Any person who shall trespass on any land or lot so bid in by the State, or shall commit any wilful waste thereof, shall forfeit and pay three times the value or amount of injury done by him, her, or them, or under his, her or their direction, and such value or amount shall not be assessed at less than ten dollars, to which may be added imprisonment not exceeding thirty days.

SEC. 12. The purchase of any such lands, until full payment be made, shall not confer on the purchaser or any person claiming under him, any right to cut down or destroy any valuable timber or wood standing or growing thereon, nor to remove or destroy any fences, houses or other buildings, nor to remove any stone or other valuable material: all or either of which is hereby declared to be wilful waste within the meaning of the last preceding section: provided, however, that taking or using necessary wood and timber and other materials for fuel and improving the premises, are not hereby prohibited; and provided, also, that any waste by such purchaser or other person shall forfeit the purchase, and the person or persons guilty thereof may be removed from the premises according to and under the provisions of the 7th, 10th and 11th sections of this Act.

SEC. 13. In all cases where lands and lots have been bid in for the State and offered for public sale but have not sold, and where it is considered by the commissioners of the Sinking Fund that the same are not worth and probably will not sell within a reasonable time for the amount chargeable upon them, the said commissioners shall cause a revaluation thereof to be made in such manner as to them may appear most judicious, and may sell the same according to such valuation either at public or private sale: Provided it may be lawful for said commissioners to advertise lands bid in by the State for four weeks and no more.

SEC. 14. After a sale of the mortgaged premises duly made there shall be no redemption; and this provision is declared to apply to sales heretofore made and to cases where the State has been or may become the purchaser, as well as to purchases by third persons; provided however that nothing herein shall prohibit the reinstatement of a mortgage under the 2d section hereof.

SEC. 15. When default is made in the payment of the principal or interest of any loan from the Sinking Fund the commissioners shall in the first instance proceed upon the bond in every case where the obligor is considered responsible and where the mortgage is considered insufficient, and ultimately for any deficit, upon the mortgage.

SEC. 16. In foreclosure sales it shall be discretionary with the commissioners, when there is no bid by a third person, either to bid in the land for the State or let the mortgage remain open for the time being.

SEC. 17. Any three members shall constitute a Board of commissioners of the Sinking Fund, and a meeting may be called at any time by the President or any three members.

SEC. 18. The said commissioners shall have power to substitute mortgages, except stock mortgages, when applied for, in cases where the fund will probably sustain no detriment, and to grant and execute partial releases of mortgages upon receiving part payment; provided that in either case the commissioners shall be satisfied that by substituting or releasing as aforesaid, the security is not lessened.

SEC. 19. The said commissioners shall have power to reinvest the principal of stock mortgages that may be paid off, and the excess of dividends on State stock over the interest on the Bank loan, either by loans on real estate security,—in stock in such Branches as yield the best dividends, or in the purchase of the bonds given for the Bank loan.

SEC. 20. The said commissioners may in their discretion receive from stock mortgagors who may be seriously embarrassed, transfers to the State of so much stock in Branches where they are stockholders as will relieve their mortgages; provided however, that no such transfer shall be taken in Branches that do not yield six per cent. dividends—and that the provisions for a surrender of stock by an embarrassed debtor and stockholder in any Branch of said Bank, and for cancelling the same by its application to his debt, by the unanimous consent of the Directors of such Branch, enacted by the "Act to provide for the reduction of the State and individual stock in the State Bank and for other purposes," approved February 2, 1842, be and they are hereby extended for the further period of twelve months from the taking effect of this act; and in the cancelling of any stock under said act, may be included such parts of any shares of stock as such indebted stockholder shall have paid out without borrowing from the State.

SEC. 21. Certificates of purchase, deeds and patents, made and signed as is authorized in this or any other act, shall be admitted as evidence in all courts, and the recitals and statements therein contained shall be *prima facie* evidence of the verity thereof, subject however to be rebutted or disproved by other competent evidence.

This act to take effect and be in force from and after its passage and shall be published in the Indiana State Sentinel and Indiana Journal.

A. C. STEVENSON,
Speaker of the House of Representatives.
JESSE D. BRIGHT,
President of the Senate.

Approved, January 13, 1845:
JAS. WHITCOMB.

ESTRAYS.

Clark County.

TAKEN up by Z. Ward living on the waters of the muddy fork of Silver creek about six miles below New Providence on the Jeffersonville and Salem road on the seventh day of December, 1844, a horse of a dun color, with a black stripe along his back, about 14 hands high, and about ten years old, appraised to $15 00 by William Plummers and John Endlih before me this 17th day of December, 1844.
WILLIAM S. HALLET,
Justice of the Peace.

A true copy from my Estray Book,
ELI McCALLEY, Clk.

Daviess County.

Taken up by Derwent Jarvis of Washington township on the 18th day of November, 1844, a strawberry roan horse, both hind feet white, a star in the forehead, about 13 hands high, supposed to be 3 years old next spring, no other marks or brands perceivable; appraised to $20 before Justice John W. Waller.

Taken up by Nathan Dickerson of Barr township, on December 13th, 1844, a bay filly supposed to be 4 years old in the spring, a star in the forehead, black mane and tail, no other marks or brands perceivable; appraised at $16 before Justice James I. Morgan.

True copies, attest, JNO. VAN TREES, Clk.

Delaware County.

Taken up by James Gregory living in Niles's township, Delaware county, Indiana, on the 13th day of April, 1844, one estray sorrel mare supposed to be six years old full, with a blaze in her forehead, both hind feet white to the pastern joint, and several other white spots about her, fourteen and a half hands high, shod all around, crease fallen and a natural trotter, appraised to twenty-seven dollars and twenty-five cents before Justice John R. Ellis.
Attest, SAMUEL W. HARLAN, Clk.

Elkhart County.

Taken up by Samuel Martin of Olive township, a bay mare supposed to be eight years old, about 14 hands high, and a natural trotter, with white face, her right hind leg white to the knee joint, and her left foot white to the pastern joint mostly on the outside; also a light bay horse colt, with a white face and legs all white to near the knee joint. The mare has an old bell on and no other marks perceivable, appraised at thirty-five dollars; colt appraised at ten dollars, all of which appears by the return of C. Tetwilliger, J. P. to my office. Attest, E. G. CHAMBERLAIN, Clk.
Dec. 28, 1844.

Fulton County.

We, the undersigned, freeholders of Richland township, having been called upon by William Bozarth, of said township, to view and appraise a stray yoke of cattle taken up by him on the 21st of December, 1844, have viewed and appraised the same and find them to be as follows: one a black and white pided steer, supposed to be 12 years old; the other a red, about 6 years old; both marked with a smooth crop off the right ear; no other marks or brands perceivable. We do appraise them at $25 00. Witness our hands,
JACOB BOZARTH,
ANDREW REIMENSINDOR.
Sworn and subscribed to before me, Jan. 4, 1845.
BENJAMIN C. WILSON, J. P.

I certify the above to be atrue copy taken from my Estray Record. L. N. BOZARTH, Clk.
Jan. 14, 1845.

Hendricks County.

Taken up by Thomas Odell, living in Liberty township, Hendricks county, one estray mare, dark brown, blaze face, hind feet white, four years old last spring, a natural trotter, fourteen hands high, had on a large hickory yoke, no other brands perceivable, appraised to twenty-five dollars by Noah Day and Azariah Herring, before Justice Clayton T. Swindler, on the 26th day of November, 1844.
Attest, JAMES M. GREGG, Clk.
Jan. 1st, 1845.

Hancock County.

Taken up by Eleazur Snodgrass, in Brandywine township, on the 30th day of Nov. 1844, a sorrel horse, four years old, fourteen hands and three inches high, star in the forehead, snip on the nose, appraised to thirty dollars by John Baker and John Simpson, before Justice Abraham Dining.
Attest, JOHN HAGER, Clk.

Jay County.

Taken up by Joseph Nevius of Noble township, Jay county, Indiana, an estray mare, on the 16th day of December, 1844. Said mare is a sorrel with a long mane and tail, a blaze face, fourteen hands high, three years old next spring, appraised over fifteen dollars. R. HARTER, J. P.
Attest, B. W. HAWKINS, Clk.
Jan. 7, 1845.

Jennings County.

Taken up by Charles Rust, living in Vernon township, Jennings county, Indiana, 2 estray colts or fillies, one a bright bay, with 4 white feet, a star in the forehead, and spot on the nose, supposed to be two years old last spring, appraised to eighteen dollars; the other a brown filly, right hind foot white, supposed to be one year old last spring, no other marks or brands perceivable, appraised to $12 by William Roudebush and Jacob B. Stillenger, and posted before me this 1st day of January, 1845.

I do certify the above to be a true copy from my Book of Estrays, this 3d day of January, 1845.
PHILANDER S. BASSINET, J. P.

I certify the above to be all the Estrays now on file in my office, not forwarded to State printer.
Jan. 3, 1845. JOHN WALKER, Clk.
By WM. R. WALKER, Dep.

Kosciusko County.

Taken up by John W. Morris, living in Wayne township, on the 4th of November, a gray mare, about five years old, fourteen hands high, a natural trotter. No marks or brands perceivable, appraised to forty dollars before Justice Daniel Thorp, Esq. of said township.

Also, taken up by John Cuppy of Jackson township, on the 19 h of November, 1844, an estray horse, a sorrel, about thirteen hands high, supposed to be four years old next spring, no marks or brands perceivable, appraised to twenty two dollars before Justice Joel Hidy.
WILLIAM C. GRAVES, Clk.

Laporte County.

Taken up by Zachariah Drom, of Scipio township, Laporte county, on the 1st day of December, 1844, one dark bay horse colt, with white stripe in the face, both hind feet white, supposed to be three years old next spring, appraised at thirty dollars before Justice Mark Allen.

Taken up by John Mellville of Scipio township, Laporte county, one dark brown mare, five or six years old, about 14½ hands high, both hind feet white, no other marks or brands perceivable. Appraised at forty dollars before Justice James Blaine, Dec. 14, 1844.
Attest, WM. HAWKINS, Clk.

Lawrence County.

Taken up by Thomas Vance on the 28th day of October, 1844, living on the State road leading from Bufford to Bobbs in Shawswick township, Lawrence county, Indiana, 2 colts; one a bay filly with a little white on the right fore foot, and the left hind foot, and a little white in her forehead, supposed to be two years old last spring, no other marks or brands perceivable, appraised to twenty-two dollars. The other a bay horse colt, supposed to be one year old last spring, no other marks or brands perceivable, appraised to twelve dollars by Samuel Crawford and William Morrow, before me on the 12th day of November, 1844.
JAMES HENDERSON, J. P.

I hereby certify the foregoing to be a true copy of the original description and appraisement of said estrays on file in my office. Attest, ROBERT MITCHELL, Clk.
Jan. 1, 1845.

Montgomery County.

I, James W Lynn, Clerk of the Circuit Court of said Co. do certify, that the following is a correct copy of the description and appraisement of each estray of a greater value than twenty dollars, entered in my book of estrays in the month of December, 1844, to wit:

By John J. Blue, living in Madison township, Montgomery county, Indiana, on the 31 day of December, 1844, one black steer, white face, back and belly, four years old last spring, marked with a hole in each ear, and the right ear slit out, appraised to $12; also, one red brindle steer, four years old last spring, marked with a half crop out of the under side of the right ear, appraised to $10; also, one red and white bull one year old last spring, no other marks perceivable, appraised to $2 before Justice James Wilson.
Jan. 1, 1845. JAMES W. LYNN, Clk.

Marion County.

The undersigned being called to appraise a certain estray mare, taken up by Charles Meir in Warren township, Marion county, on the 23d day of November last, find the same to be a bright bay mare, eight or nine years old, with a scar on the left buttock, her left hind foot somewhat gray, fourteen hands high, and appraised to twenty-five dollars this fifth day of November, 1844 (this should be December) by E. N. Shimer and Charles Hartman, before Joseph Clinton, Esq. November (December) 5, 1844
Attest, R. B. DUNCAN, Clk.

Madison County.

We, the undersigned, do certify that we have viewed and appraised two estrays taken up by Wesley Tucker, living in Madison county, Indiana, in Union township, and find the same to be as follows, to wit: The one is a flee-bitten gray mare, blind in the near eye, supposed to be eighteen years old, no other marks or brands perceivable, valued at ten dollars. The other a brown mare, with some white on her hind feet, and a star in her forehead, no other marks or brands perceivable, valued at twenty-five dollars by Simon Landsy and Wm. Johns, subscribed and sworn to before me, Lewis Shroyer, Justice of the Peace.
Nov. 13, 1844.

A true copy of the only estray return made to the office of the Madison circuit court, within the month of December, 1844. JAS. HAZLETT, Clk.
Jan. 1, 1845.

Noble County.

Taken up by George C. Prentiss, of Sparta township, one sorrel, supposed to be six years old, about fifteen hands high, a white strip in the face, light mane and tail, dark spots on her side and shoulder and gamble joint and on the left thigh, appraised at $40 by Leander B. Eggles and Obadiah Tilton, before Justice Nathaniel Perkins, Nov. 18th, 1844.
WILLIAM F. ENGELS, Clk.

Owen County.

Taken up by Christopher Oxley, in Franklin township, a sorrel horse, about fifteen hands high, flax mane and tail, four white feet, a star and snip in his face, a scar on his right hind foot, supposed to be five years old. Appraised to $20 December 12, 1844, before Justice Joseph Landrum.

By John McIndoo of Washington township, a bay filly, two years ole next spring, eleven hands and two inches high, black legs, mane and tail, a common bell on, fastened with a leather collar, appraised to $15 before Justice Alesser Secrest, December 20, 1844.
A true list. Jan. 1, 1845. T. C. JOHNSON, Clk.

Porter County.

Taken up by Thomas Wilkins, in Pleasant township, on the 19th day of November, 1844, one bright bay horse, supposed to be three years old past; appraised at twenty-two dollars and fifty cents before Justice Edwin C. Abbott.
JOHN C. BALL, Clk.

Putnam County.

Taken up by Webster Nance of Warren township, an estray horse about seven years old, about sixteen hands high, light made, bright bay with a small snip on his nose, and a little lame in the left shoulder, supposed to be the swinny; appraised at thirty-five dollars before Justice Merrill, on Dec. 4, 1844.

By Allen Wilson of Jefferson township, on Dec. 7, one cow and calf, the cow is a red, with white back and belly, some white in the face, taken to be marked with a swallow fork in the left ear, supposed to be nine or ten years old, the calf is a red unmarked. Also, a brindle cow with some white on the hips and tail, unmarked, supposed to be five years old. Also, another brindle cow with white back and belly, marked with a smooth crop and underbit out of each ear, supposed to be seven