DAILY APPEAL.

ALL LETTERS ENCLOSING REMITTANCES TO THE OFFICE MUST BE REGISTERED, OTHERWISE THE PROPRIETORS WILL NOT HOLD THEMSELVES RESPONSIBLE FOR ANY LOSSES THAT MAY OCCUR.

THIS APPEAL IS REGULARLY DISCONTINUED AT THE END OF THE TIME PAID FOR, UNLESS RENEWED IN ADVANCE.

MEMPHIS.

TUESDAY MORNING, NOVEMBER 10, 1857.

MESSAGE OF GOVERNOR JOHN J. McRAE, OF MISSISSIPPI.

More particularly for the benefit of our numerous Mississippi patrons, we publish in to-day's paper the Message of Gov. J. J. McRae, and ask the perusal of our readers. While it refers in the main to matters which principally concern the people of our neighboring State, in many respects it is interesting to all. It is Gov. McRae's Valedictory Message, as the Governor elect will soon enter upon the discharge of his official duties.

THE PROSPECT—RESUMPTION OF THE BANKS.

There seems to be a general and simultaneous expression from all quarters of a better prospect ahead, and the probability that the money panic has well nigh exhausted itself. In addition to the extracts which are elsewhere published in our columns, the following information, furnished by the Washington correspondent of the Charleston Courier, will be read with interest, and hailed with satisfaction:

"I have been favored with the perusal of a letter received by the President, from one of the most eminent bankers in England, which presents a very favorable and encouraging view of the financial prospects of the United States, notwithstanding the present depression.

"The writer says that the crisis here is similar to that which occurred in England in 1844-'5, and is from the same cause, that is spending a vast sum of money, in a short time, upon railroads. The effect here was, he says, to enable a great number of persons to consume foreign imports. The importers sold the goods at a profit, but had to pay for them in gold. Hence the disturbance of our currency. But, he says, the United States will recover from the disastrous effects of the revulsion much sooner than England did in 1844-'5. He says that the New York banks would soon be stronger in specie than ever by remittances from England, and that the new crops of cotton, &c., would soon be in great demand, and that the low prices of American Securities would also invite investments."

It behooves our Banks, in view of this favorable intelligence to "put themselves in trim" for an early resumption of specie payments. They have no right to remain in a suspended state an hour longer than the restoration of public confidence, which will render it safe on their part to resume payments. It can be demonstrated that a suspension on their part brings large profits to them, while the community correspondingly suffers from the handling of their depreciated paper, the high rates of exchange &c. Public sentiment should therefore demand that they resume payments at as early a day as they may do so with safety to the commercial interests of the country. Nevertheless we would not have them prematurely take this step. But as all the indications now are in favor of high prices for cotton, large remittances of coin from Europe, and a speedy return of confidence, the matter should be seriously considered of.

Our Legislature, should by enactment, require the Banks of our State to take this step as soon as prudence and a due regard for safety to all concerned will dictate—say sometime in the Spring.

We can see no reason why our banks should not resume, in advance even, of the Eastern Banks, as they were the last to succumb to the pressure. The New Orleans, some of the South Carolina and the Kentucky banks are manfully sustaining themselves in paying coin. Why, then, should not the Southern banks generally, that have suspended, have the honor of leading off in the perfect restoration of confidence to the commercial world? Why does not our Legislature enter upon this important question?

MISSISSIPPI INTELLIGENCE.

COL. CUSHMAN SUGGESTED FOR CIRCUIT JUDGE.—A correspondent of the Oxford *Mercury* suggests in a very complimentary manner, Col. J. F. Cushman, of Lafayette, county for the office of Circuit Judge, in his district. This correspondent with much truth and propriety remarks:

"There is no man in the district whose name would be hailed with more real pleasure in connection with that station than Col. C. should he permit his name to be used by his friends. With him upon the bench, the pure and unspotted ermine of the Judiciary would never be tarnished, nor the fountain of justice ever corrupted; for his high sense of honor and great integrity of character would afford the surest guaranty that all who come within the temple of justice would have it meted out to them without favor or partiality, according to the strict letter of the law."

From the same paper we clip the following:

KILLED.—John A. Sudiff, a young man employed in a livery stable of Butler & Boone, was kicked by a mule on Monday evening, so severely that died in several hours afterwards. He received a wound on the leg, and one on the crown of his head which fractured the skull.

CAPT. A. M. JACKSON.—This able and sterling Democrat, having recently accepted the appointment of secretary of New Mexico, tendered him by the President, left this place with his family for Santa Fe, on Thursday evening last, to assume the duties of the office. We can say of a truth that the appointment could not have been conferred upon a better or more deserving man. And we deeply regret to lose from our State so sound and reliable a Democrat, and so good and useful a citizen; but hope his new home in Santa Fe, may prove both pleasant and profitable to him. The Captain leaves behind him a host of warm friends, who wish him happiness and prosperity.—*Ripley Advertiser.*

Captain Jackson, accompanied by his family, passed through Memphis, on the first inst., on his way to St. Louis. Pursuant to instructions from the President, he will, however, visit Washington City, to perfect his arrangements for his final departure to New Mexico.

LOOK OUT.—All shin-plaster men are hereby advised to be on their guard in relation to the circulation of bank notes of a less denomination than five dollars. Every man shall be fined who circulates any of the trash will be returned to the grand jury to a certainty—mark our prediction.—*Hernando Press.*

THE CHICASAW SCHOOL FUND.

AUDITOR'S OFFICE,
Jackson, November 1, 1857.

By report of Hon. A. B. Dilworth, Secretary of State, the following sums are due 1st of November, 1857, respectively to Chickasaw school fund. "Interest on the "Chickasaw School Fund."

Tishomingo County	$2,778 79
Tippah "	2,913 54
DeSoto "	1,801 41
Marshall "	1,725 29
Pontotoc "	1,488 09
Itawamba "	1,681 71
Lafayette "	1,548 03
Panola "	1,047 06
Chickasaw "	1,319 56
Yalobusha "	1,011 44
Calhoun "	909 52
Monroe "	771 10
Talladega "	430 10
Lowndes "	1,142 52
Oktibbeha "	356 40
Choctaw "	51 00
Tallahatchie "	5 00

MADISON McAFEE,
Auditor Public Accounts.

THE DUEL.—Our city for the past two or three days has been in a state of extreme excitement in anticipation of an affair of honor between R. H. Purdom, Esq., editor of the Port Gibson *Herald*, and Col. W. D. Roy, editor of the *Southern Sun*. In accordance with previous arrangements, the parties repaired to the opposite side of the river yesterday, and about three o'clock the duel came off. The Mississippi Rifles were used, distance forty paces. At the first fire Mr. Purdom received a severe wound, the ball of his adversary striking his arm just below the elbow, ranging up the shoulder, shattering his arm in a most terrible manner. It is feared that amputation will be necessary. In the mean time his numerous friends at a distance may rest assured that he is receiving every attention and kindness calculated to promote his comfort and speedy recovery.—*Vicksburg Sentinel*, 3d inst.

THE VOTE FOR GOVERNOR.—The two Houses of the Legislature assembled in convention on Tuesday last, to count the votes cast for Governor, at the October election. The following is the result:

For William McWillie 28,376
For Edward M. Yerger 14,345

Majority for McWillie 14,031

YALLOBUSHA COUNTY—A FAIR EXHIBIT. In the editorial correspondence of the Granada *Locomotive* of the 3d inst., we find the following gratifying statement of the pecuniary condition of Yallobusha county:

"It may afford some idea of the condition of the country to give the state of the docket, at the present and three preceding terms of the Circuit Court. At May term, 1856, there were 210 appearance cases; at October term, 1856, 150 cases; at April term, 1857, 293 cases; and at the present term, 110 cases. All of the suits, with but few exceptions, are for very small amounts. There are 300 cases on the issue docket, most of them small; 80 cases on the 'preference docket,' that is, appeals from justices of the peace, and 70 cases on the chancery docket. Now, all this shows a healthy state of the country, but not very healthy for the lawyers. But never mind them—they will 'weed their row,' and get along somehow, or somebodies else."

The same paper gives a gloomy account of the cotton crop, owing to the recent unfavorable weather.

THE QUESTION BETWEEN THE LEGISLATURE SETTLED.—The Vicksburg *Southron* of the 4th says:

"The question raised by some of the newspapers, which has been discussed at great length by which members (the old or the new) are to hold the present session of the Legislature, has been very quietly and promptly settled. The old members have wisely, we think, determined to hold the session, and not add to the present complications of our Constitution by bringing up other vexed questions, and making "confusion worse confounded." Those gentlemen who have recently been honored by the public confidence will, therefore, have to "wait for the wagon." The old members will, we doubt not, attend to such legislation as the interests of the State may seem to demand, and then adjourn and return home, while those new-fledged aspirants for legislative fame, can wait until Gov. McWillie convenes them by proclamation in extra session—a contingency not likely to happen within the next two years.

FIRE AT JACKSON—COTTON FACTORY IN THE PENITENTIARY DESTROYED.—On the 1st inst. a fire occurred in the Penitentiary, which was arrested, not however, until it had destroyed the cotton factory. The loss to the State in machinery, materials and stock on hand, is estimated at $60,000 or $80,000. There was no insurance.

KEMPER COUNTY.—Beverly Greenwood paid the forfeit of his life to the violated laws of his country on Friday, the 23d ult. The De Kalb *American*, says that he seemed resigned to his fate, and met his doom with firmness. It was expected by some that he would make some remarks on the scaffold, but he declined doing so, and he was launched into eternity in a few minutes after he ascended the fatal platform. Greenwood seemed to be penitent for his crime and ill spent life. He in conversation with divers persons before, and on the awful day, attributed his crimes and misfortunes to the bad example set him in his youth by his father, and to his fondness for intoxicating drinks. He said all his crimes and misdemeanors were perpetrated when he was under the influence of liquor, that he was drunk when he killed Mr. Sullivan, that he had been so for some days, and had not become sober from the time he had the difficulty with Rogers in the evening, until he committed the murder the next morning.

DEMAND FOR MISSISSIPPI BOTTOM LANDS.—The *Valley Planter* says:

"Several travelling gentlemen have visited our town during this and last week. Some speak of locating here, others in the country. There seems to be a general rush for lands in the county of Coahoma, an evidence that it is one among the best river counties in Mississippi. Those who wish to locate in one among the richest cotton regions in the world, should emigrate at once to this county. You should come at once, ere the lands enter into the possession of men who will not sell at any price."

☞ There is an immense emigration from Georgia, South Carolina, and East Tennessee, to Arkansas and Texas. Near a hundred wagons have passed through this place in the last ten days, the larger portion of which were from Georgia.—*Rienzi (Miss) Clipper* Oct. 31.

ALABAMA NEWS.

MAN KILLED BY HIS OWN NEGROES.—On last Thursday evening, Isaac Rutledge, who lived near Pleasant Ridge, in this county, while weighing cotton, was shot dead by one of his own negroes,—with a rifle, the ball entering near the left shoulder blade and coming out of the right breast—killing him instantly. Three others entered into the plot related, and after the deed was perpetrated by the older one who was the instigator of the plot. It was several days in contemplation; the negro who killed his master was in the habit of using the gun by permission, and obtained it from the house servant for the purpose of shooting a hawk. We believe the above is a condensed statement of the negro himself, who has made full confession of the facts, upon which he and his associates have been committed to jail.—*Eufaula Observer.*

DEATH OF JUDGE COLEMAN.—We learn from the Athens *Herald* that the Hon. DANIEL COLEMAN, died at his residence in that place, on Wednesday morning, the 4th inst. Judge COLEMAN has been in feeble health for more than a year past, resulting from the enlargement of an artery technically, *aneurism*, and it has been only by active exercise that he has been enabled to prolong his life.

COTTON—SHORT CROP.—The Eufaula *Spirit of the South*, of the 3d instant, says:

"On Sunday morning, there was a heavy white frost, sufficient to blacken and destroy vegetation. Cotton has been nearly gathered, and the prevailing opinion is, that there is not much more than a half crop.

COTTON ESTIMATE—PRIZE AWARDED.—The Silver Tea Set offered in Mobile as a prize for the nearest estimate of the cotton crop of 1856-7, has been awarded to W. B. Hamilton of that city, whose estimate was just eighteen bales over the exact number. The crop was 2,939,519, and his figures were 2,939,537. This is one of the very best guesses on record. Some other estimates within five hundred bales of the true number, one above and the other below it.

STATE FAIR—The Alabama State Fair at Montgomery will commence on the 17th inst., and continue four days. Hon. Edward Everett is expected to be there.

THE LEGISLATURE.—This body assembled yesterday. It is unnecessary to state the Democracy are largely in the ascendancy.

PROGRESS OF MANUFACTURES IN NORTH ALABAMA.—We learn from the Tuscumbia *Democrat*, that Messrs. MARTIN, WEAKLY & CO., have just completed one of the finest factories in the South. The establishment is located in Lauderdale county. That paper says:

"There are three factories on this creek belonging to these enterprising gentlemen, all within one fourth of a mile by land, but by the windings of the creek it is nearly three miles. The three factories contain about 5,500 spindles and 160 looms for making coarse cotton goods, such as Osnaburgs, Cotton Yarns, etc. There can be some idea given of the extent of this establishment from the number of people employed and the quantity of cotton consumed. At present the Factory village contains 500 people, and when all the machinery is at work and the place in complete organization, 800 will be the population. There will be work up *four thousand* bales of cotton in Osnaburgs, Cotton Yarns, Carpet Warp, etc.

"Messrs. Baugh, Kennedy & Co., Lauderdale Mills, on Shoal Creek, have a fine establishment, but we know but little of its capacity. We suppose it works about 1,500 bales of cotton per annum.

"Messrs. Milner, MAYS & Co. have a Woolen and Cotton factory on the same creek, and turn out decidedly the best coarse goods for negro wear to be found anywhere. We noticed a few days since one hundred and fifty pair of their blankets shipped by their agents in this place. Their Blankets, Felled Cloth and Linsey cannot be surpassed."

ARKANSAS INTELLIGENCE

COTTON.—The planters are busily engaged in picking; shipments from the Arkansas and White rivers are very light—the planters preferring to wait for better prices.—*Napoleon Planter, Nov. 6*

EMIGRATION TO ARKANSAS.—The Batesville *Balance* has a long and interesting article with reference to the present and future prospects of Arkansas, concluding with the following paragraph:

"The tide of immigration has begun to flow in. Numers of wagons, bound for some place in Arkansas or Texas, pass through town every day, and a great many are stopping in the country adjacent to Batesville in every direction. Only let them become acquainted with, and properly consider the claims of this part of Arkansas, and they will know where to stop."

The same paper says that corn is selling in Batesville at 30 cents per bushel.

LARGE YIELD OF POTATOES.—Mr. P. M. Bledsoe, living in Walnut Bend, this season raised *nine hundred bushels of Irish potatoes on two acres of land!* The potatoes were remarkably large. He planted but two barrels.—*Hickory Shield.*

WASHINGTON CORRESPONDENCE.

(FROM OUR OWN CORRESPONDENT.)

WASHINGTON, D. C., November 3, 1857.

The organization of the next House of Representatives is now occupying the attention of the Democratic press. As the Democrats have a decided majority in the next House, it is a duty they owe to themselves, the party and the country, to clean out the Augean stables, by the expulsion of the Know-Nothings and Black Republicans, who hold all of the offices of the present House, from the Speaker down to the most inferior employee attached to it.

There are a number of aspirants for the offices to be elected. Among the most prominent are Messrs. Orr, of South Carolina, and Phelps, of Missouri, for the Speakership. It is conceded that the chances of Orr are rather better than any other person. For Clerk, Messrs. Robman, of Indiana, Olds, of Ohio, and Allen, of Illinois. For Postmaster, Sergeant-at-arms and Door-Keeper, candidates are quite numerous.

These offices should all be filled by good and true Democrats, and I trust that the Southern Democrats, having a majority, will act justly towards their Northern friends and allies in the distribution of them, and that they will cordially support Democrats from those Northern States where the gallant Democracy, under the most trying circumstances, carried the flag triumphantly in the face of the foe. There is, for instance, the gallant little State of New Jersey, whose Democratic members, I learn, will present one of her trusty sons for the office of Postmaster, and I trust the Southern delegates will show their appreciation of her services, by uniting in his support. No State in the Union fought the good fight with more stern and unbending integrity, surrounded and hemmed in as she was on all sides by the force of the foe, in the great States of New York and Pennsylvania, and the cities of New York and Philadelphia, pouring in their thousands of dollars, and their colonized pipe-laying votes to corrupt her.

The course of Messrs. Walker and Stanton, in rejecting the vote of Oxford precinct, in Johnson county, Kansas, at the late election, has brought the Democrats of the Territory out. In a recent meeting at Lecompton, they passed resolutions setting forth the course pursued by the Governor and Secretary, and strongly condemning their action. Rumor says the Administration will remove, or at least censure them for their action.

Yours, J.

GOVERNOR' MESSAGE.

To the Senate and House of Representatives:

GENTLEMEN: In making to you my last annual message, at the close of a term of nearly four years' service, with which I have been honored, by the people of the State as their Chief Magistrate, I am happy to congratulate you, their immediate representatives, upon the progress and prosperity of the State, and the contentment and happiness of the people themselves. Progress is marked in the development of all her moral, intellectual and physical resources; prosperity follows these, and this is the sure foundation of the contentment and happiness of the people.

AMENDMENTS TO THE CONSTITUTION.

The amendment proposed to the Constitution, to fix the commencement of the term and the tenure of office of members of the Legislature, passed at the adjourned session of December last, and submitted to the vote of the people at the late election, received the requisite number of votes to make it a part of the Constitution, the whole number of votes cast for the amendment being twenty-one thousand six hundred and sixty-three, and the whole number for members of the Legislature thirty-nine thousand two hundred and forty-one; majority for the amendment, two thousand and forty-two, majority of the whole number of votes cast for members of the Legislature being requisite to authorize its insertion in the Constitution.

The Legislature proposing the amendment, however, cannot insert it in the Constitution—the Constitution requiring that when an amendment is proposed by the Legislature, and published to the people, "if it shall appear that a majority of the qualified electors voting for members of the Legislature shall have voted for the proposed change, alteration, or amendment, then it shall be inserted by the next succeeding Legislature as a part of the Constitution, not otherwise." Although the terms of the members of the Legislature elected in November, 1855, may be regarded as extended, by the tenure of office amendment to the Constitution, to the first Monday in January, 1858, and they hold the present session; yet they are the same Legislature which proposed and passed the amendment, and though holding a succeeding session, are not the succeeding Legislature authorized to insert this amendment in the Constitution.

According to the construction given to the Constitution by which the members of the Legislature elected in November, 1855, hold the present session, the twenty-seven members, chosen in October last, have not the power to hold a regular session of the Legislature until the first Monday in November, 1858, and cannot get into session previous to that time, unless specially convened by the Governor. This amendment, then, without these members being specially convened, cannot be inserted in the Constitution until their regular session in November, 1859, a period after the election of other members, to wit, the Monday in October, 1859, the commencement of whose term of office the amendment itself proposes to fix at that date, and continue for two years.

Should the members elected the first Monday in October last be convened on special session by the Governor, and insert the amendment in the Constitution, and it is construed to apply to their own term of office, their term will be abridged from the first Monday in January, 1860, to the first Monday in October, 1859, will hold the regular session of the Legislature in November following. Whether this construction can be given to the amendment when inserted in the Constitution, is doubtful; and if not, then there will still be two sets of members of the Legislature in office at the regular session, the first Monday in November, 1859.

Doubts exist as to the term of office of the judicial officers of the State, the election amendment declaring that "on the first Monday in October, 1858, and biennially thereafter, an election shall be held for all county, district, judicial and ministerial officers," &c., implying that the judges are to be elected every two years. Doubts exist also as to the term of the expiration and commencement of the gubernatorial term. This, however, has been settled by construction, and I retire from office the third Monday of November inst., that the newly elected Governor may be installed on that day, eight weeks before the expiration of the term to which I was originally elected and installed, the present term of the Executive office being the only one of all the officers of the State which is shortened, all others being prolonged by the construction given to the several amendments of the Constitution.

Besides these doubtful questions and inharmonious conflicts, there are other imperfections in the Constitution of which it should be relieved; and as the best and surest means of accomplishing this object, and of remedying all the existing evils, I recommend the call of a State Convention to revise the Constitution. The present Constitution was adopted the 26th of October, 1832, now a quarter of a century ago. In a progressive and prosperous State like ours, it is not surprising that her organic law should require revision after the lapse of twenty five years. In this instance it is necessary. The expense of a convention will not exceed that of a session of the Legislature, and is much more essential to the interests of the State. The last apportionment not having been made, fixing the ratio of representation in the legislature, should your body concur in the opinion of the necessity for a call of a convention, I recommend that a fair and equal apportionment be made, in a spirit of harmony and concession, for the representation in the convention, and that the question for the call of the convention be submitted to the people, with the election of delegates at the same time. The amendment to prohibit suits against the State failed to receive the sanction of the people, the vote in favor of the amendment being only 10,170.

BANKS.

A gloomy crisis has recently come, and is now prevailing, in the monetary affairs of the country, growing out of the evils of a paper currency, inherent in the banking system which issues it as a representative of coin, cheapening the actual value of money, and enhancing in proportion, the price of every article of necessity, convenience or luxury, and really representing more the confidence of the community than it does any actual value. The consequence is, that when, for a time, confidence runs high in this spurious representation of coin, large issues are made by the banks, the inferior paper currency preponderates, and when confidence ceases to circulate, money becomes cheap, prices high—speculation is rife, everything is represented by a fictitious value, every individual extends his credit to the farthest extreme, and every branch of business is overdone to the utmost limit. Having reached this point, there must necessarily be a reverse—business fails to be profitable, individual credit fails with it, engagements cannot be met, confidence is destroyed, the paper currency fills the land, and is found to be the circulation, but not the money of the country; it is a mere fictitious representative of value—the banks which have issued it cannot redeem it in coin. Gold and silver, which is actual money, then disappear from every thing else, except articles of absolute necessity, becomes cheap; credit is gone; property of every kind is sacrificed; the laborer is thrown out of employment, or cannot obtain his hire; the producer suffers loss in the price of his staple, whatever it may be; the consumer has nothing to buy with; distress comes upon all, and every interest of the country suffers. This condition of things necessarily grows out of the inherent evil of the banking system itself; and every reflecting mind which has reasoned on even the revulsions which have occurred in our own day, from the crisis in 1837 to that which is now upon the country in 1857, cannot, it seems to me, fail to perceive and appreciate it. Mississippi has long almost wholly dispensed with the banking system for more than fifteen years past, is not at this time so serious a sufferer at home, in the present crisis, from the evils of a paper currency; but its pernicious influences are felt by her in the effects upon the price of her great staple, which will not now even command more than two-thirds of its actual intrinsic market value, owing to the general failure of the banking system and the consequent destruction of confidence throughout the whole country. As an evidence of what might have been the condition of things in Mississippi under the banking system, had it prevailed here as in other States, I have to announce the fact, that the only two solitary small banks which yet exist in the State, the Northern Bank of Mississippi and the Commercial Bank of Manchester, under, as was supposed by the country, the most prudent management, and with all the experience before them of the explosion of the banks of Mississippi, from 1837 to 1843, have both suspended payment of their notes. These banks, fortunately for the State, have but a small capital, and have not a large amount of their paper in circulation. It is believed they will be able ultimately to meet their liabilities, and that the most serious losses have already been sustained by the holders of their notes at the first shock produced by their depreciated credit.

As remarkable as it may seem, with the past history of the banking system in Mississippi fresh in our memories, a sentiment has recently grown up in some parts of the State in favor of renewing it at your present session. I can only say, that I think the time unpropitious for its advocates to make the experiment. Believing that the Legislature will not even for a moment consider such a proposition, I will not waste your time by presenting my objections to it. They are patent upon the whole face of the country, in the ruin of the banking system before us, seen and felt by all. I prefer to recommend stringent legislation to restrain the small banks we yet have from over issues in future, and to compel them, under penalty of the forfeiture of their charters, to redeem their notes at all times in good or silver; also, to prevent further evils and losses to the people, from the circulation of foreign bank paper in our State.

At the last session of the Legislature a law was passed to prohibit the circulation of bank notes under the denomination of five dollars in this State. Under the Revenue Act, a "tax of two per cent." was laid "on every hundred dollars of bank paper of any other State, sent or brought into this State by any corporation issuing the same, for the purpose of being loaned or put in circulation by way of loan or brokerage, in the purchase of bonds, notes or bills of exchange. This tax, for the most part, can be easily evaded by the introduction of these foreign bank notes into the State by non-residents, upon whom no assessment can be made, and it is collected only from those of our own citizens introducing them, who do a legitimate business, for which they pay a license, in dealing "in gold or silver coin or bullion, bank notes, or bills of exchange." I therefore recommend that a tax of one per cent. be laid on every dollar of bank paper of any other State circulated in this State, to be assessed to the bona fide owners, whoever may be the holders of it, at the time of the regular assessment by law, and collected as other taxes. This will have the effect to prevent the introduction into the State of foreign bank paper of doubtful character, will appreciate the value of that which is introduced, will yield a handsome revenue to the State, and so far as it operates to the exclusion of bank notes of other States, will have a happy effect in increasing within our own State, the circulation of coin.

NEW CODE.

The revised statute laws of the State, as adopted in the new code, went into effect on the first day of this month, and I do not suppose any legislation will take place to alter them. I recommend that they be put to the test of experience, and that no change be made in them for the present. The power of creating in corporations for ordinary purposes under this code, is vested in the Governor, and this will dispense with much of the usual legislation. I am, therefore, relieved from the necessity of recommending, for your consideration, much which might otherwise be required, in reference to the enactment of laws of general and local interest; and I feel that the legislation, however, on the important subjects of our railroads, common schools, and the agricultural interest of the State, are not incorporated in the code, and to these interests I may appropriately call your attention.

RAILROADS.

The State has loaned to the several railroad companies named, of the Chickasaw School Fund, at the rate of eight per cent. per annum, the following sums:

To the Miss. Central Railroad Com'y	$181,850
" Miss. and J. G. N. R. Com'y	118,000
" Miss. and Tenn. R. Com'y	181,850
" Mobile and Ohio R. Com'y	135,000
Total	$621,700

In addition to this, the State has paid for the bonds of these companies, from the Internal Improvement Fund, the following sums:

To the Mobile and O. R. Com'y	$ 300 00
" Miss. Cen. Railroad Com'y	232,000
" N. O. and J. G. N. R. Com'y	384,000
Total	$616,000

There is yet due to the New Orleans, Jackson and Great Northern Railroad, for bonds from the Internal Improvement Fund, eighty-six thousand dollars.

These roads are all in steady progress, with sure, if not speedy, prospect of completion. I have the assurance of the President of New Orleans, Jackson and Great Northern Railroad Company, that the means are provided for completing this road to Jackson, and that it will be open through from New Orleans to Canton, by the first day of March next. Railroad iron is progressing rapidly between Jackson and Brookhaven, and there are only thirty-four miles between these points upon which the iron rails are not laid. The track laying is progressing rapidly from both ends of the road, and upon both the south and north work, there can be no doubt of the opening of the road to this point in the month of March.

The distance from New Orleans to Canton, by the line of this road, is two hundred and seven miles. The extension of the Mississippi Central road, north of Canton, where it connects with the New Orleans, Jackson and Great Northern, to couple at twenty miles, and the means are in hand, and the work progressing, to complete this road thirteen miles further—thirty-three miles north of Canton—by the first of January next; and when the New Orleans road is completed, by individuals, and cause it to open for business previous to that time, unless specially convened by the Governor. This amendment, then, without these members being specially convened, cannot be inserted in the Constitution until their regular session in November, 1859, a period after the election of other members, to wit, the Monday in October, 1859, the commencement of whose term of office the amendment itself proposes to fix at that date, and continue for two years.

Should the members elected the first Monday in October last be convened on special session by the Governor, and insert the amendment in the Constitution, and it is construed to apply to their own term of office, their term will be abridged from the first Monday in January, 1860, to the first Monday in October, 1859, will hold the regular session of the Legislature in November following. Whether this construction can be given to the amendment when inserted in the Constitution, is doubtful; and if not, then there will still be two sets of members of the Legislature in office at the regular session, the first Monday in November, 1859.

Doubts exist as to the term of office of the judicial officers of the State, the election amendment declaring that "on the first Monday in October, 1858, and biennially thereafter, an election shall be held for all county, district, judicial and ministerial officers," &c., implying that the judges are to be elected every two years. Doubts exist also as to the term of the expiration and commencement of the gubernatorial term. This, however, has been settled by construction, and I retire from office the third Monday of November inst., that the newly elected Governor may be installed on that day, eight weeks before the expiration of the term to which I was originally elected and installed, the present term of the Executive office being the only one of all the officers of the State which is shortened, all others being prolonged by the construction given to the several amendments of the Constitution.

Besides these doubtful questions and inharmonious conflicts, there are other imperfections in the Constitution of which it should be relieved; and as the best and surest means of accomplishing this object, and of remedying all the existing evils, I recommend the call of a State Convention to revise the Constitution. The present Constitution was adopted the 26th of October, 1832, now a quarter of a century ago. In a progressive and prosperous State like ours, it is not surprising that her organic law should require revision after the lapse of twenty five years. In this instance it is necessary. The expense of a convention will not exceed that of a session of the Legislature, and is much more essential to the interests of the State. The last apportionment not having been made, fixing the ratio of representation in the legislature, should your body concur in the opinion of the necessity for a call of a convention, I recommend that a fair and equal apportionment be made, in a spirit of harmony and concession, for the representation in the convention, and that the question for the call of the convention be submitted to the people, with the election of delegates at the same time. The amendment to prohibit suits against the State failed to receive the sanction of the people, the vote in favor of the amendment being only 10,170.

BANKS.

A gloomy crisis has recently come, and is now prevailing, in the monetary affairs of the country, growing out of the evils of a paper currency, inherent in the banking system which issues it as a representative of coin, cheapening the actual value of money, and enhancing in proportion, the price of every article of necessity, convenience or luxury, and really representing more the confidence of the community than it does any actual value. The consequence is, that when, for a time, confidence runs high in this spurious representation of coin, large issues are made by the banks, the inferior paper currency preponderates, and when confidence ceases to circulate, money becomes cheap, prices high—speculation is rife, everything is represented by a fictitious value, every individual extends his credit to the farthest extreme, and every branch of business is overdone to the utmost limit. Having reached this point, there must necessarily be a reverse—business fails to be profitable, individual credit fails with it, engagements cannot be met, confidence is destroyed, the paper currency fills the land, and is found to be the circulation, but not the money of the country; it is a mere fictitious representative of value—the banks which have issued it cannot redeem it in coin. Gold and silver, which is actual money, then disappear from every thing else, except articles of absolute necessity, becomes cheap; credit is gone; property of every kind is sacrificed; the laborer is thrown out of employment, or cannot obtain his hire; the producer suffers loss in the price of his staple, whatever it may be; the consumer has nothing to buy with; distress comes upon all, and every interest of the country suffers. This condition of things necessarily grows out of the inherent evil of the banking system itself; and every reflecting mind which has reasoned on even the revulsions which have occurred in our own day, from the crisis in 1837 to that which is now upon the country in 1857, cannot, it seems to me, fail to perceive and appreciate it. Mississippi has long almost wholly dispensed with the banking system for more than fifteen years past, is not at this time so serious a sufferer at home, in the present crisis, from the evils of a paper currency; but its pernicious influences are felt by her in the effects upon the price of her great staple, which will not now even command more than two-thirds of its actual intrinsic market value, owing to the general failure of the banking system and the consequent destruction of confidence throughout the whole country. As an evidence of what might have been the condition of things in Mississippi under the banking system, had it prevailed here as in other States, I have to announce the fact, that the only two solitary small banks which yet exist in the State, the Northern Bank of Mississippi and the Commercial Bank of Manchester, under, as was supposed by the country, the most prudent management, and with all the experience before them of the explosion of the banks of Mississippi, from 1837 to 1843, have both suspended payment of their notes. These banks, fortunately for the State, have but a small capital, and have not a large amount of their paper in circulation. It is believed they will be able ultimately to meet their liabilities, and that the most serious losses have already been sustained by the holders of their notes at the first shock produced by their depreciated credit.

As remarkable as it may seem, with the past history of the banking system in Mississippi fresh in our memories, a sentiment has recently grown up in some parts of the State in favor of renewing it at your present session. I can only say, that I think the time unpropitious for its advocates to make the experiment. Believing that the Legislature will not even for a moment consider such a proposition, I will not waste your time by presenting my objections to it. They are patent upon the whole face of the country, in the ruin of the banking system before us, seen and felt by all. I prefer to recommend stringent legislation to restrain the small banks we yet have from over issues in future, and to compel them, under penalty of the forfeiture of their charters, to redeem their notes at all times in good or silver; also, to prevent further evils and losses to the people, from the circulation of foreign bank paper in our State.

At the last session of the Legislature a law was passed to prohibit the circulation of bank notes under the denomination of five dollars in this State. Under the Revenue Act, a "tax of two per cent." was laid "on every hundred dollars of bank paper of any other State, sent or brought into this State by any corporation issuing the same, for the purpose of being loaned or put in circulation by way of loan or brokerage, in the purchase of bonds, notes or bills of exchange. This tax, for the most part, can be easily evaded by the introduction of these foreign bank notes into the State by non-residents, upon whom no assessment can be made, and it is collected only from those of our own citizens introducing them, who do a legitimate business, for which they pay a license, in dealing "in gold or silver coin or bullion, bank notes, or bills of exchange." I therefore recommend that a tax of one per cent. be laid on every dollar of bank paper of any other State circulated in this State, to be assessed to the bona fide owners, whoever may be the holders of it, at the time of the regular assessment by law, and collected as other taxes. This will have the effect to prevent the introduction into the State of foreign bank paper of doubtful character, will appreciate the value of that which is introduced, will yield a handsome revenue to the State, and so far as it operates to the exclusion of bank notes of other States, will have a happy effect in increasing within our own State, the circulation of coin.

NEW CODE.

The revised statute laws of the State, as adopted in the new code, went into effect on the first day of this month, and I do not suppose any legislation will take place to alter them. I recommend that they be put to the test of experience, and that no change be made in them for the present. The power of creating in corporations for ordinary purposes under this code, is vested in the Governor, and this will dispense with much of the usual legislation. I am, therefore, relieved from the necessity of recommending, for your consideration, much which might otherwise be required, in reference to the enactment of laws of general and local interest; and I feel that the legislation, however, on the important subjects of our railroads, common schools, and the agricultural interest of the State, are not incorporated in the code, and to these interests I may appropriately call your attention.

RAILROADS.

The State has loaned to the several railroad companies named, of the Chickasaw School Fund, at the rate of eight per cent. per annum, the following sums:

To the Miss. Central Railroad Com'y	$181,850
" Miss. and J. G. N. R. Com'y	118,000
" Miss. and Tenn. R. Com'y	181,850
" Mobile and Ohio R. Com'y	135,000
Total	$621,700

In addition to this, the State has paid for the bonds of these companies, from the Internal Improvement Fund, the following sums:

To the Mobile and O. R. Com'y	$ 300 00
" Miss. Cen. Railroad Com'y	232,000
" N. O. and J. G. N. R. Com'y	384,000
Total	$616,000

There is yet due to the New Orleans, Jackson and Great Northern Railroad, for bonds from the Internal Improvement Fund, eighty-six thousand dollars.

These roads are all in steady progress, with sure, if not speedy, prospect of completion. I have the assurance of the President of New Orleans, Jackson and Great Northern Railroad Company, that the means are provided for completing this road to Jackson, and that it will be open through from New Orleans to Canton, by the first day of March next. Railroad iron is progressing rapidly between Jackson and Brookhaven, and there are only thirty-four miles between these points upon which the iron rails are not laid. The track laying is progressing rapidly from both ends of the road, and upon both the south and north work, there can be no doubt of the opening of the road to this point in the month of March.

The distance from New Orleans to Canton, by the line of this road, is two hundred and seven miles. The extension of the Mississippi Central road, north of Canton, where it connects with the New Orleans, Jackson and Great Northern, to couple at twenty miles, and the means are in hand, and the work progressing, to complete this road thirteen miles further—thirty-three miles north of Canton—by the first of January next; and when the New Orleans road is completed, by individuals, and cause it to open for business previous to that time, unless specially convened by the Governor. This amendment, then, without these members being specially convened, cannot be inserted in the Constitution until their regular session in November, 1859, a period after the election of other members, to wit, the Monday in October, 1859, the commencement of whose term of office the amendment itself proposes to fix at that date, and continue for two years.

Should the members elected the first Monday in October last be convened on special session by the Governor, and insert the amendment in the Constitution, and it is construed to apply to their own term of office, their term will be abridged from the first Monday in January, 1860, to the first Monday in October, 1859, will hold the regular session of the Legislature in November following. Whether this construction can be given to the amendment when inserted in the Constitution, is doubtful; and if not, then there will still be two sets of members of the Legislature in office at the regular session, the first Monday in November, 1859.

Doubts exist as to the term of office of the judicial officers of the State, the election amendment declaring that "on the first Monday in October, 1858, and biennially thereafter, an election shall be held for all county, district, judicial and ministerial officers," &c., implying that the judges are to be elected every two years. Doubts exist also as to the term of the expiration and commencement of the gubernatorial term. This, however, has been settled by construction, and I retire from office the third Monday of November inst., that the newly elected Governor may be installed on that day, eight weeks before the expiration of the term to which I was originally elected and installed, the present term of the Executive office being the only one of all the officers of the State which is shortened, all others being prolonged by the construction given to the several amendments of the Constitution.

Besides these doubtful questions and inharmonious conflicts, there are other imperfections in the Constitution of which it should be relieved; and as the best and surest means of accomplishing this object, and of remedying all the existing evils, I recommend the call of a State Convention to revise the Constitution. The present Constitution was adopted the 26th of October, 1832, now a quarter of a century ago. In a progressive and prosperous State like ours, it is not surprising that her organic law should require revision after the lapse of twenty five years. In this instance it is necessary. The expense of a convention will not exceed that of a session of the Legislature, and is much more essential to the interests of the State. The last apportionment not having been made, fixing the