House of Representatives.

Monday, Dec. 5th, 1859.

House met pursuant to adjournment—roll called, quorum present. Journal of Saturday read and adopted.

On motion of Mr. Lynch the vote tabling the resolution to tender this Hall to the managers of the Inauguration Ball was reconsidered by the following vote:


Mr. Norton proposed to amend by adding "Provided the carpets are not removed from the floor."

Mr. Franklin offered the following substitute:

Resolved, That the Speaker be authorized to grant permission to the managers of the Inauguration Ball to use the Representative Hall on that occasion, on condition that the carpet and furniture be replaced without delay, expense or injury.

Mr. Haynes moved the previous question which was seconded, and the House refused to order it.

Mr. Henderson moved to lay the substitute on the table. Lost by the following vote:


NAYS—Speaker, Anderson, Armstrong, Barclay, Billingsley, Bogart, Branch, Craig, Crawford, Clark, Dale, Darnell, Daniels, Davis of B., Dennis, Dickson, Dougherty, Edwards, Ellett, Francis, Franklin, Foscoe, Hall, Harrison of C., Harrison of V. Z., Houghton, Lewter, Maxey, McClarty, McKnight, Mundine,
The substitute was adopted, and the resolution adopted by the following vote:


The appointed hour for the two Houses to meet in joint session to go into the election of United States Senator having arrived.

On motion the House took a recess of ten minutes to prepare for the reception of the Senate.

Recess expired—House called—quorum present.

On motion of Mr. Henderson a call of the House was ordered.

**Absentees**—Mr. Kinney.

Mr. McKnight moved to suspend call. Lost.

On motion of Mr. Wælder the regular morning business was suspended.

Mr. Barnard moved to adjourn till 10 o’clock to-morrow. Lost by the following vote:

**YEAS**—Messrs. Barnard, Epperson, McKnight and Townes—4.

**NAYS**—Messrs. Speaker, Anderson, Armstrong, Barclay, Baxter, Benevides, Bogart, Branch, Bryan, Buckley, Caddell, Camp, Craig, Crawford, Crooks, Clark, Culberson, Cunby, Dale, Darnell, Daniels, Davis of B., Davis of H., Dennis, Dickson, Dougherty, Ellett, Flewellen, Francis, Franklin, Foscue, Hall, Harrison of C., Harrison of V. Z, Hartley, Haynes, Henderson, Henry, Houghton, Hubbard, Hubert, Lewis of M., Lewis of R., Lewter, Lynch, Mabry, Manly, Martin, Maverick, Maxey,
—78.

Mr. Kinney being announced the call was suspended.

The Hon. Senate appeared headed by the Hon. President, F. R. Lubbock, who was invited to a seat on the right of the Speaker, and the Senators to the seats prepared for them.

Rolls of both Houses called—quorum present.

Nominations on part of the Senate being in order, Senator Britton nominated Mr. Wigfall; Senator Grimes nominated Mr. Smyth; and Senator Throckmorton, Mr. Latimer.

On part of the House Mr. Craig nominated Mr. Wigfall; Mr. Taylor nominated Mr. Latimer; Mr. Lewis of M. nominated Mr. Smyth; Mr. Mabry nominated Mr. Ward; and Mr. Martin nominated Mr. Hill.

The joint session then proceeded to the 1st ballot, which was as follows:

**FIRST BALLOT.**


For Ward—Camp, Francis, Lewter and Mabry—4.


Mr. Harrison of V. Z., voted for W. J. Sparks.

No one candidate having received a majority of all the votes cast, the joint session proceeded to a 2nd ballot as follows:

**SECOND BALLOT.**

For Wigfall—Mr. Speaker, Anderson, Barclay, Billingsley, Bryan, Buckley, Caddell, Craig, Crooks, Culberson, Cumby, Dale,

For Hill—Baxter, Clark, Martin, McCutcheon, Waterhouse and Whitmore.—6.

For Roberts—Daniels, Dickson, Haynes, Henderson and McKnight.—5.


For Ward—Francis, Houghton and Mabry.—3.

Mr. Harrison of Van Zandt voted for Mr. Jarvis.

Mr. Henderson moved that the joint session adjourn. Lost by the following vote:


On motion of Mr. Taylor a call of the House was ordered.

Upon calling the roll it appeared that a quorum was present and the call was suspended.

Mr. Henderson moved that the joint session adjourn till 10 o'clock to-morrow. Lost by the following vote:

YEAS—Messrs. Armstrong, Baxter, Benevides, Branch, Crawford, Camp, Clark, Darnell, Davis of H., Dickson, Duncan, Edwards, Ellet, Epperson, Haynes, Henderson, Henry, Lewis of M., Lewis of R., Lewter, Mabry, Manly, Martin, Maverick, McCutche-
Mr. Dickson moved a call of the House.
The Speaker declared the motion out of order.
Mr. Dickson appealed from the decision of the Chair and the Chair was sustained by the following vote:


Mr. Dickson moved a reconsideration of the vote sustaining the decision of the Speaker.
On motion of Mr. Buckley the motion was laid on the table by the following vote:


Mr. Mabry moved a reconsideration of the vote sustaining the decision of the Speaker.
On motion of Mr. Buckley the motion was laid on the table by the following vote:


**NAYS—** Messrs. Baxter, Benevides, Branch, Camp, Clark, Darnell, Davis of H, Dickson, Duncan, Edwards, Haynes, Henderson, Lewis of M, Lewis of R, Lewter, Manley, Martin, Maverick, McCutcheon, Mc-
Mr. Mabry moved to reconsider the vote tabling his motion to reconsider the vote sustaining the Chair.

Speaker ruled motion out of order.

Mr. Mabry appealed from the decision.

The Chair was sustained by the following vote:


Mr. Martin moved to adjourn the joint session till a to' clock A M. to-morrow. Lost by the following vote:


Mr. Epperson moved to adjourn the joint session till 9 o'clock A M. to-morrow. Lost by the following vote:


NAYS—Messrs. Speaker Anderson Barclay Benevides Bogart

12-11
Mr. Haynes moved to adjourn the joint session sine die. Lost by the following vote:

**YEAS**—Messrs. Dickson Epperson Haynes Lewter McCutcheon Owens Pikey and Waterhouse—8.


Mr. Haynes moved that Joint Session adjourn till 11 o'clock to-morrow. Lost by the following vote:


Mr. Mabry moved to adjourn till 12 o'clock, A.M., to-morrow. Lost by the following vote:


Mr. Martin moved to adjourn Joint Session till 9½ o'clock, A.M., to-morrow. Lost, by the following vote:


Mr. Martin moved to adjourn Joint Session till 10 o'clock, A.M., Wednesday. Lost by the following vote:


Mr. Martin moved to reconsider the vote refusing to adjourn till 10 o'clock Wednesday.

The Speaker ruled the motion out of order.

Mr. Henderson appealed from the decision.

The Chair was sustained by the following vote:

**YEAS—** Messrs. Anderson Armstrong Barclay Billingsley Bogart Bryan Buckley Caddell Craig Crooks Culberson Cumby
Mr. Martin moved to adjourn till 11 o'clock Wednesday morning.

The Speaker ruled the motion out of order.

Mr. Martin appealed from the decision.

The Chair was sustained by the following vote:


Mr. Martin moved to reconsider the vote sustaining the Speaker.

On motion of Mr. Dougherty the motion was tabled by the following vote:


Mr. Mabry moved to reconsider the vote sustaining the Speaker.

On motion of Mr. Dougherty the motion was tabled by the following vote:


The Joint Session then proceeded to the 3d ballot. (Result below.)
For Wigfall—Messrs. Speaker Anderson-Barclay Billingsley
Bryan Buckley Cuddell Craig Crooks Culberson Cumby Dale
Davis of Bastrop Dennis Dougherty Flewellin Franklin Foscoe
Hall Harrison of Cherokee Hartley Hubbard Hubert Lynch
Maxey McClarty Mills Munson Nelson Parker Perry Pitney
Redwine Robinson Ross Shelton Short Stewart Wieder Wal­
worth Warfield Wortham and Wiede—43.
For Roberts—Daniels Dickson Henderson Lewter McKnight
Mundine Redgate and Townes—8.
For Latimer—Armstrong Benevides Bogart Camp Clark Dar­
nell Davis of H. Edwards Eillett Lipperson Francis Haynes Henry
Lewis of M. Lewis of R. Maverick Navarro Norton Owens Shanno­n
and Taylor—21.
For Smyth.—Branch Crawford Duncan McCutcheon Middle­
For Hill.—Baxter Manley Martin and Whitmore—4.
Mr. Mabry voted for Mr. Ward.
Mr. Harrison of Van Zandt voted for Mr. Graham.
Mr. Wigfall having received a majority of all the votes cast,
was declared by the Speaker duly and constitutionally elected
Senator from the State of Texas.
Senate retired.
On motion the House adjourned till 10 o'clock A. M., to-mor­row.

House of Representatives, }
Tuesday, Dec. 6th, 1859. }

House met pursuant to adjournment. Roll called—quorum
present.
On motion of Mr. Foscoe, the reading of the yeas and nays
in the journal of yesterday was dispensed with, the remainder of
the journal were read and the journal adopted.
Mr. Lynch by permission, changed his votes on an appeal from
the decision of the Chair.
Mr. Whitmore gave notice that he with others, would make a
protest against the election of Louis T. Wigfall, to the U. S.
Senate.
A message was received from the Governor.
The hour having arrived the special order of the day, to-wit: a
bill to validate headright certificates issued by the district and
supreme courts, was taken up, read and referred to the commit­
tee on the Judiciary.