Daily Appeal.

MEMPHIS.

THURSDAY, ::::: OCTOBER 6, 1859.

Reading Matter on Every Page.

Largest Circulation in the City.

PHYSICIAN TO THE LUNATIC ASYLUM.

We are pleased to learn from the *Union and American*, that Dr. W. CHEATHAM, the accomplished, skillful and worthy Physician to the State Lunatic Asylum for several years past, was unanimously re-elected at the meeting of the trustees last Saturday.

ORGANIZATION OF THE LEGISLATURE.

We publish a very full report of the organization of the two Houses of the Legislature from the Nashville *Union and American*. The *Union* has engaged two able and competent reporters, and will furnish during the session accurate and reliable reports, both in their regular and daily issue and in the Legislative *Union*. Our friends who wish to obtain thorough daily reports will thus know to what source they may look for them. We expect to avail ourselves of such of these proceedings as may be of interest to our readers.

DEATH OF HORATIO J. HARRIS, ESQ.

We are pained to learn through the Vicksburg papers of the death of HORATIO J. HARRIS, of that city, in Ohio recently. Mr. HARRIS has been United States district-attorney for the southern district of Mississippi for twelve years. He was a man of genial, manly and noble impulses, a sound lawyer, a clear-headed politician, and a ripe scholar. His death will be universally regretted wherever he was known. He was the brother of the late lamented Lieut. REUBEN HARRIS, of the United States Navy. His health had been failing for several years, and he was in Ohio seeking convalescence and repose at the time of his decease.

THE DEMOCRATIC JUBILEE.

The weather was so inclement and the rain so incessant on Saturday that the Democracy that assembled were compelled to forego their barbecue. The speaking, therefore, took place in the capitol, and a number of distinguished speakers addressed the audience during the day and at night. The *Union* of Thursday gives the following account of the close of the speaking:

The close of the speaking at the Democratic jubilee took place at the capitol on Saturday night. The hall of the House of Representatives was densely crowded, and speeches were made by Hon. A. O. P. Nicholson, Hon. George W. Jones, and W. C. Witherspoon, Esq. It being impossible for all to crowd into the hall, another meeting was organized in the Senate Chamber, which was addressed by Hon. H. M. Watterson, T. W. Newman, Esq., Robert Johnson, Esq., and Col. Waggener, of Williamson. A brilliant display of fire works concluded the jubilee.

The state of the weather prevented the public demonstration during the day, and greatly disappointed the expectations of our Democratic citizens, yet in all other respects the gathering was all that the most sanguine could have desired. The speeches were eloquent and appropriate, and the enthusiasm and determination a guaranty for the future.

ARKANSAS NEWS.

TOWN OF WASHINGTON IMPROVING.—The *Arkansas Democrat*, of recent date, says, "property is rapidly advancing in Washington. Several sales have been made during the past week at astonishing figures."

CROPS, ETC.—The Arkansas papers report crops good, health good, and improvements in every portion of the State. From the tenor of the journals we infer that Arkansas is rapidly rising into most of her sister States. Our resources are now only becoming known and appreciated, and the day is not far distant when we will rival the oldest. We have to beg pardon to notice the special notices of our State papers this week, but can say they are interesting, and the first announced gratifying.—*Camden Ark. Eagle, Sept. 29th.*

The same paper has the following:

We learn by a friend that a difficulty occured nine miles north of Tulip, in which a Mr. Long and a Mr. Wesson were engaged. The latter was killed. Long has escaped, and no one is pursuing. The circumstances were stated by our correspondent, but as his statement was from rumor, we forbear comment until judicial proceedings are instituted.

UPPER NEGROES REMOVING.—The Helena *Note-Book* says: Quite a number of free negroes are preparing to leave this place for some northern Abolition State, there to rest and live in peace with their white freedom shrieking brethren.

CONNECTION BETWEEN MEMPHIS AND LITTLE ROCK.—We are pleased to learn that Capt. Adams, our popular commander of the river mail, intends as soon as the water will admit, putting a fourth steamer in his line and establishing the Memphis and Little Rock Packet. His boats will then run as regular packets between Memphis and Little Rock. If this line be continued for a year or two it will build up a large river and commercial business in our entire market. And if the Memphis merchants will only make the same exertions that are being made by their enterprising brethren of the Crescent City, they may readily obtain a fair divide of the business of the Arkansas river, which if concentrated is sufficient of itself to build up an extensive commercial entrepot. The regular line of packets now with the others we have in the same trade is the first most important in diverting a legitimate share of the trade that has formerly been tributary to New Orleans and the Ohio river cities to a nearer market.—*Pine Bluff Independent.*

HOW TO KNOW WHEN A DISTANT BATTLE IS BEING FOUGHT.—An English writer, in a recent work, mentions that on the Sunday in June when the battle of Waterloo was fought, and when everybody in England was expecting a grand struggle—as it was known that Napoleon had crossed into the Netherlands—it chanced that between the services on that eventful day, a clergyman in Kent was walking in his garden, and his gardener—an old soldier who had fought in Spain—said, "There's a fight going on, sir, somewhere; for I remember when we were in the Peninsula we always knew when a skirmish was taking place, wherever it might be, by a crumbling of fresh mould." He then took a spade and dug down a single foot, and along the smooth surface left by the steel, an imperceptible trembling shook down little pellets of the soil. "That's it, sir," said the gardener; "they are it, sure enough." There were no iron horses and electric telegraphs in those times, and it was several days before the people of England knew that a battle had been fought at Waterloo, and that—thanks to old Blucher—Wellington had triumphed.

☞ True love seldom runs smooth anywhere—among the noble or the ignoble. The Duke of Rutland—who is neither very wise nor very good looking, and who is falling into the vale of years, besides—recently made an offer of his heart, hand and fortune, to the Princess Mary, sister of the Duke of Cambridge. The Princess, who is past her bloom, was willing to accept the offer, but Victoria is decidedly opposed to the mingling of royal with noble blood, and so the requisite license cannot be obtained.

☞ The Masonic Grand Lodge of Tennessee commenced its annual session in Nashville on Monday last, the Grand Master, JOHN FARRIER, presiding. There was quite a large attendance, nearly all the Lodges in the State being represented.

Frightful Accident at a Paice-Eighteen Killed and Wounded.

From the Nashville Union and American, Sept. 30.

The Main street bridge at Albion, N. Y., broke about 5½ p. m., yesterday. A large concourse of people had been attracted to Albion by the County Agricultural Fair, and about a thousand people, together with eight horses and wagons, were, it is estimated, on the bridge. Before 10 o'clock eighteen bodies had been taken out, and it was feared a like number remained.

All this disaster, which will bring calamity and sadness to many households, was caused by a foolish desire to see the performance of a rope-walker, a young man from Rochester, who had crossed a rope to be stretched from the roof of the Mansion House, on the north side of the canal, to a building on the south side, and announced that he would walk across it.

The rope was about two rods west of Main street bridge; and as it stretched nearly over most of the new canal bridge, which of course offered an eligible stand-point from which to view the performance. It was accordingly crowded with people and teams. The rope-walker got part way across the canal when the bridge broke in two at the center, precipitating all who were upon it into the middle of the canal. Men, women and children, horses and wagons were all piled in an indiscriminate mass.

The west half of the bridge went down first, and of course many of those who stood near the break, were pitched off in such a way, that when the east half came down, which it did immediately, it fell upon them and covered them up. A pair of horses and a carriage full of people were crushed in this way so completely that nothing had been found of them two hours after the accident. The horses must have been most horrible. What became of the rope-walker nobody appeared to know. He was not seen to cross the canal or to return to the side from which he started. It may have been startled by the crash so that he fell off his rope in the canal and swam ashore.

A correspondent of the *Buffalo Advertiser* furnishes the latest intelligence from the scene of the disaster. He writes:

"I have just returned from the sad spot. Bodies are brought on each side of the canal, while the work of dragging and tearing up the bridge, which lies in a solid mass is going on. Every little while a body is found, and received by waiting friends. It is surprising that there are many under the bridge, and the water is now being drawn off. This will take some hours, but in the morning we shall know probably the full result. It is almost impossible to get at any facts in the crowd, but it appears to be the impression that about twelve bodies have been taken out. It is, I assure you, a sad case.

THE ST. LOUIS FAIR.

[FROM OUR OWN CORRESPONDENT.]

ST. LOUIS, September 30, 1859.

The Fair, the Fair, of course the St. Louis Fair. A heavy rain last night and this morning made the streets and roads heavy and muddy, which detained many persons at home during the morning, but the extraordinary inducements to both the people and stock owners, drag thousands from their dry warm rooms into the inclement weather to witness grand entry for and the award of the great one thousand dollar prize for the best Boadster Stallion. The offer of this liberal prize was responded to in a very liberal manner by the stock-raisers of the whole Union; the consequence was that the greatest number of people that ever assembled on a fair ground and the largest and finest collection of fast, fine roadsters that ever has appeared at one time in the amphitheater were both visible to this condensed world of people at a single glance,—an agreeable feast for the eye that well never be forgotten by any who witnessed the scene. This superb panorama can only be mis-represented by such ordinary descriptions as this. There are things we see and feel of which we cannot convey a correct idea in language—such was this,—"it beggars all description." Here is a list of the 21 entries, among them, th most noted are Flying Cloud, Silver Heels, Green Mountain, Henry Clay, Peerless, Black hedge Chief, and the venerable Gen. Gifford, now 28 years old; six of whom were selected from the first pruning and hung upon the ever deceptive hook of hope, each expecting the honor.

LIST OF ENTRIES.

Young Hiram, by Beppo, owned by P. R. Clark, Del.

Addison, by Black Hawk, owned by St. Clair Horse Co., Ill.

Wolvi, by New York Black Hawk, owned by A. Cruksham, Lasalle, Ill.

Young Hamiltonian, by Old Hamiltonian, owned by D. Ashbury, Canton, Mo.

Flying Cloud, by Young Black Hawk, owned by A. Grant, Hancock Co., Ill.

White Mountain, by Green Mountain No. 2, owned by C. C. Brown, Clinton, Ill.

Morgan Black Hawk, by Vt. Black Hawk, owned by B. H. Stratton, Mt. Holland, N. J.

Green Mountain Boy, no pedigree, owned by Dutch & Drury, Waterloo, Ill.

General Gifford, by Morgan Gifford, owned by Babcock, Leves & Co., Canton, Ill.

Black Bird, by Canadian, owned by J. Simpson, Sabula, Iowa.

Silver Heels, by Black Hawk, owned by Gen. Singleton, Quincy, Ill.

Henry Clay, by old Shark, owned by B. E. Harris, Marion county, Mo.

Bellfounder, by Bellfounder, owned by D. Meyer, Salem, Illinois.

Wide Awake, by Black Hawk, owned by Stocker & Josh, Alton, Illinois.

Kemble Jackson, by Kemble Jackson, owned by J. Dean, Washington county, Mo.

Peerless, by Black Hawk, owned by J. H. Adams, Clay county, Mo.

Stockbridge Chief, by Black Hawk, owned by Crane & Copper, Hampton county, Ohio.

Excelsior la Belle, by Vt. Morgan, owned by L. L. Dorsey, Ky.

Morgan Prince, by Vt. Morgan, owned by L. L. Dorsey, Ky.

Green Mountain Black Hawk, by Sherman Morgan, owned by E. Dorsey & Burke, Kentucky.

Flying Cloud, by Hill's Vt. Morgan, owned by W. R. Williams, Randolph county, Missouri.

King William, no pedigree, owned by C. S. Mack, Lockport, N. Y.

It so happened that but one horse was known to any, and he only to one of the judges, and it also happened that he was one of the first to "go out of the ring." The marshal placed the wreath upon the brow of "Stockbridge Chief," who belongs to Crane & Cooper, of Ohio, which judicious decision was heartily indorsed by the entire assembly.

Several premiums were awarded, but they were of minor importance, and we cannot recollect them, having lost our memorandum.

CHARLIE.

SIXTH DAY.

ST. LOUIS, October 1, 1859.

This is the sixth day of the fair, and we have just reached the 5th day's proceedings, as laid down upon the programme; consequently, it will take us seven days to reach *since die*. This will be "one of seven wonders," the "royal day" of the fast.

The one thousand dollar premium offered for the best thoroughbred stallion, of any age, brings into the arena the "jewels" of the equine race, and surrounds them with anxious thousands to see these rival representatives of the ancient pure blood.

For several days every car and steamboat arriving here has been overladen with people from every State,

Rushing to be a part and parcel,
In which the gods might take delight.

After some smaller premiums were awarded, the press were (as usual about that time of day) invited to dinner; from thence to the other company's hall, to sample the premium wines—some half score different varieties. From here they were conducted to the third story of the Pagoda, where they were regaled with short and witty speeches from His Excellency Governor Stewart, and the Honorable Messrs. Pope and Borland, who, doubtless, would have been followed by others, but, like Linden, they "saw another sight."

They come! And simultaneous with the gates, opened every mouth, and three times three cheers greeted the entrance of every steed—eighteen in number—whose beauty is only excelled by their achievements, many of which will be brought to mind by the mention of such names as Lexington, by Boston; Wanelco, ——; Revenue, by Imp. Trustee; Rorice, by Sovereign; Doubloon, by Morgrave; P. T. Barnum, by Robert Burns; Princeton, by Yorkshire; Prisan, by Priam; Warfield, by Warfield; Young Barton, by Barton; Consternation, by Consternation; Ben Halled, by Consternation; Little Arthur, by Glencoe; Goldilee, by Bellshazer; France, by Glencoe; Castor, by Epsilon; Mils, by Grey Eagle; Geo. Robinson, by Glencoe.

Such a ring of horses is seldom seen by any man.

Could the spirit of "Richard" been recalled from its quiet repose, and witnessed the scene, it might have doubled the price offered by him, and thought any one of them cheap at the figures.

Lexington! "Illustrious sire!" "The noblest Roman of them all!" Blind from his "wonderful achievements,—not of years—under the control of two grooms, was guided around the pagoda, receiving from the shouting multitude their tokens of appreciation in the shape of bouquets and wreaths until he was literally covered with flowers and evergreens. Flushed with excitement, and proud of the royal blood of ages coursing through his veins, he responded by assuming his most dignified air, and mingled his own with the voices of his happy audience.

"Revenue," "Waterloo," "Barton," and "Doubloon," all had their friends and admirers, but each seemed to turn in sympathetic honor to their afflicted rival, who,

Though blind as blind can be,
Was found all he so much to see;
Those sightless eyes expressing more
Than thousands who had done before.

The contest was a long and trying one every point being carefully scrutinized, and all their merits justly considered. Like honest judges, they were slow to make an important decision; and after a council of about three hours they rather unexpectedly crowned the "conquering hero," "Revenue," owned by Mr. Burford, of Kentucky.

This disposed of the last of the three great St. Louis prizes of $1,000 each.

The liberality of the society in offering unprecedented large prizes has increased the labors of the awarding committees to such an extent that the whole of to-day's programme has to be continued until Monday, when the business will be resumed and bring the feast to a close.

To the directors, the people and the press, both local and visiting, we return our sincere thanks for the agreeable manner in which we have spent these few short days, which were made the more so by that good natured Marshal, Mr. Genin, and our attendant, Mr. Nicolet, "the best of barled-men," each vying with the other to make their comrades more happy and at home.

Speaking of "good fellows" and useful men, we had the pleasure of making the acquaintance of the "Prince" of them, in Col. D. H. Huyett, who is now engaged in getting up a Gazetteer of the State of Missouri, and, when completed, he is going to our State for the same purpose. We expect to visit Memphis in the course of two or three weeks, in connection with this enterprise, which every one will admit to be a very desirable end, and will aid in its early accomplishment. Mr. H. is an able man and in every way capacitated to accomplish the task and fetch it up in a masterly manner.

There are several departments at the fair which we have neglected to mention, and we hope the parties interested will excuse us for not doing them the honors we acknowledge to be due them.

The fine art hall, a commodious house constructed for this particular department of genius and intellect, well arranged and lighted for its requirements, is situated near the amphitheater, a well filled with the dreams, ideals and realities of the great intellects of this State in particular, and the Union and the world in general. Here the student, the artist and the critic may meet, and quarrel and agree, dictate and learn, dream and realize, day after day, over the masterly efforts and accomplishments of the finest minds of the world. We cannot particularize, but name the whole as a heterogeneous collection of perfections.

In the agricultural and mechanical department was a vast collection of implements—mostly labor-saving implements. Indolence seems to labor in mind to save the corporal body from every stroke of manual exertion, but at the same time *time* is greatly economised and often capital is reduced—so far as stock is concerned.

The floral department! O, this delightful apartment. Entering at one door, between this and the next, we pass through a perfect paradise of nature—mountains and valleys, bright skies and clear running brooks, gardens filled with delicious fruits and flowers, graced with the rich products of the stall.

On the grounds we find stalls and stables around two sides and one end of the entire inclosure, amounting to about sixteen hundred in all, attended by every conceivable convenience.

Now it would seem strange that the society is no older than our own and so far excess it in point of interest and real importance. How are we to account for this difference in results, when the necessities and abilities are the same? true the character of the products of the two places are not the same, but ours is equal to theirs in value.

We can but think the grand secret is in the liberality and public spirit of the people on the one part and the corporation on the other.

The first guarantee of success is made sure by the large property holders of St. Louis; they take a great and active interest in the affairs of the society. They have offered some of these large premiums which have immortalized the institution and the whole people take such an interest as invariably receives the indorsement of the well pleased visitors. The land owners, property holders, merchants and mechanics generally, are annually amply compensated for their outlay, with a handsome interest attached. It is estimated that this fair brings annually to the city the neat little sum of $800,000, and many think that one and a half millions not an exaggerated estimate. This we hope will arouse our lethargic merchants and real estate owners to the importance of offering prominent inducements to the whole world to visit our city at least once a year. Take the history of the two societies and compare them, we readily see the condition of the two, one has a surplus of over $10,000 and the other is considerably in debt—the former is gotten up on a liberal scale, the other cramped and illiberal for the want of public spirit.

While the St. Louis fair realizes a handsome income, Memphis scarcely feels the impulse which should attend our fairs.

It is also estimated that visitors at the St. Louis fair purchased about half a million of real estate within the limits of the corporation this year.

Memphis has the territory to dispose of, but the owners have never yet offered one inducement to bring the people in contact with it; and we predict that unless they change their course of policy, St. Louis will outstrip them two to one. They must manifest a more liberal spirit—try to bring the whole people to our city. And we know of no better way than for them to take stock in the Shelby County Agricultural Fair until the stock shall amount to $75,000, then offer premiums of from $10 to $1,000 each, embracing every article of produce, art and manufacture; then will our fairs assume an importance worthy of its design; then will thousands of parties contend for the prizes, and many thousands assemble to see the objects worthy of such honors; then will they see and appreciate the importance of our city, and invest their money in our securities; and not until this end is attained, through this or some similar channel, will Memphis outstrip with her sister city St. Louis. More should be said about these things by some one better able to present the facts in a more comely style.

We will close by paying our tribute to the packet company plying between St. Louis and Memphis. We have either sat, slept or travelled on each and all of their boats, all of which will fill the bill of the most fastidious. To Messrs. Riley and Tschudi, of the *Lacar*, we acknowledge our indebtedness, commend them to our friends, and make our bow.

Yours truly, CHARLIE.

TENNESSEE LEGISLATURE.

SENATE.

MONDAY, October 3, 1859.

MORNING SESSION.

[From the Nashville Union and American.]

At 12 o'clock, m., Thomas S. Marr, Assistant Clerk of the last Senate, called the Senate to order.

On motion of Mr. McClelland, Mr. Wood, the Senator elect from the counties of Cannon, Coffee, Grundy, Van Buren and Warren, was called to the chair.

The clerk then proceeded to call the districts, when the following gentlemen presented their credentials as members elect, and were sworn in by Josiah Ferris, Esq., notary:

From the counties of Carter, Johnson, Wash ngton and Sullivan—George R. McClellan.

From the counties of Hawkins, Hancock and Jefferson—William M. Bradford.

From the counties of Green, Cocke, Sevier and Blount—T. Y. Stanley.

From the counties of Claiborne, Grainger, Anderson and Campbell—M. N. Nash.

From the counties of Knox and Roane—James Swan.

From the counties of Morgan, Scott, Overton and Fentress—R. T. Hilbreth.

From the counties of Meigs, McMinn, Polk and Monroe—James T. Lane.

From the counties of Hamilton, Marion, Bledsoe, Bradley and Rhea—

When the counties composing this district were called.

Mr. John A. Minnis presented a certificate of election.

Mr. Richardson stated that he held in his hand a certificate of election issued to Mr. W. H. Tibbs of Hamilton county, and suggested that the matter as to who was entitled to the seat be postponed *inter-informally*, which being agreed to, the clerk proceeded with the call.

From the counties of White, Jackson and Macon—S. S. Stanton.

From the counties of Smith and Sumner—James L. Thompson.

From the counties of Wilson and DeKalb—Jordan Stokes.

From the counties of Rutherford and Williamson—John W. Richardson.

From the counties of Bedford and Marshall—Jonas M. Johnson.

From the counties of Cannon, Coffee, Grundy, Van Buren and Warren—E. J. Wood.

From the counties of Franklin and Lincoln—Tazewell Newman.

From the counties of Giles, Lawrence and Wayne—H. W. Hunter.

From the counties of Maury, Lewis, Hickman and Dickson—Thomas McNeilly.

From the county of Davidson—Jno. Trimble.

From the counties of Robertson, Montgomery and Stewart—Judson Hord.

From the counties of Benton, Humphreys, Perry, Decatur and Henderson—J. E. Mickler.

From the counties of Hardin, McNairy and Hardeman—Geo. B. Peters.

From the counties of Henry, Weakley and Obion—B. L. Stovall.

From the counties of Gibson, Carroll and Dyer—T. A. Allen.

From the counties of Madison, Lauderdale, Haywood and Tipton—R. W. Bunting.

From the counties of Fayette and Shelby—E. G. Payne.

The chairman stated that the first business in order was the election of speaker, and announced that nominations were in order.

Mr. Stovall nominated Tazewell Newman.

Mr. Allen nominated John W. Richardson.

There being no other nominations, the clerk called the roll.

Those who voted for Mr. Newman were Messrs. Hilbreth, Hunter, Johnson, Lane, Mickler, McClellan, McNeilly, Payne, Peters, Richardson, Stovall, Thompson and Wood—13.

Those who voted for Mr. Richardson were, Messrs. Allen, Bond, Bradford, Bunting, Horn, Nash, Newman, Stanton, Stokes, Stokely, and Trimble—11.

Mr. Newman having received a majority of the votes cast, was declared duly and constitutionally elected Speaker of the Senate, and was conducted to the chair by Messrs. Wood and Richardson.

The speaker, on assuming the chair, addressed the Senate in a brief but eloquent speech, urging the members to proceed at once to work and make a short session.

The Senate then proceeded to the election for principal clerk.

Mr. Thompson nominated John Lellyett, of Davidson county.

Mr. McClure received 13 votes, and Mr. Lellyett 11. Mr. McClure having received a majority of the votes cast, was declared elected.

The Senate then proceeded to elect an assistant clerk.

Mr. Payne nominated Franc. M. Paul, of Shelby county.

Mr. Stanton nominated Wm. Gore, of Jackson county.

Mr. Paul received 13 votes, and Mr. Gore 11. Mr. Paul having received a majority of the votes cast, was declared elected.

The Senate then proceeded to elect a door-keeper.

Mr. Johnson nominated J. E. Bennett, of Bedford county.

Mr. Bradford nominated T. D. Cassidy, of Davidson county.

Mr. Bennett received 13 votes and Mr. Cassidy 11. Mr. Bennett having received a majority of the votes cast, was duly declared elected.

Mr. McNeilly offered a resolution declaring R. C. Bugg, of Davidson county, messenger to the Senate.

Mr. Stanton offered a resolution in lieu, declaring R. C. Burnett, of Smith county, messenger to the Senate.

On motion of Mr. Stovall, both resolutions were laid on the table.

On motion of Mr. Stovall, the Senate proceeded to elect a messenger.

Mr. McNeilly nominated R. S. Rugg.

Mr. Stanton nominated H. C. Burnett.

Mr. Stokes nominated Thos. C. Hamilton.

Mr. Trimble nominated R. C. Cowardin.

Upon a call of the roll the vote stood for Rugg 13, for Burnett 1, for Hamilton 8, and for Cowardin 2. Master R. S. Rugg having received a majority of the votes cast, was declared elected messenger to the Senate.

On motion of Richardson, the Senate adjourned to 3 o'clock p. m.

AFTERNOON SESSION.

On motion of Mr. Richardson, the rules of the last Senate were adopted until other rules shall be adopted by the Senate.

THE CONTESTED SEAT.

Mr. Payne offered the following resolution:

Whereas, J. A. Minnis, of the county of Hamilton, holds a regular certificate of election for the Eighth Senatorial District, signed by the sheriffs of all the counties of said district, at the time appointed by law for the sheriffs to meet and compare the votes for Senator in said district, therefore, be it

Resolved, That said S. A. Minnis is entitled to be sworn, and hold his seat as the sitting member of said district, with the powers and privileges of any other senator, until otherwise determined by the body.

Mr. Payne moved to suspend the rule requiring resolutions to lie over one day, in order that his resolution may be taken up and acted upon, but two-thirds not voting in favor of such suspension, the motion was lost, and the resolution was placed upon the calendar.

Mr. Stokes moved that a committee of five be appointed, to whom shall be referred the contested seat from the Eighth Senatorial District, with power to send for persons and papers.

Mr. Stovall moved to lay the motion on the table, which the motion failed.

Mr. Stovall said his object was to get the subject before the Senate, and that as it was not, the committee called for could not be appointed.

Mr. Richardson contended that the subject was before the Senate, as it had, by consent, been passed over informally when the district was called in the organization of the Senate. There was no other way to ascertain the facts in regard to this election but to appoint a committee to send for persons and papers, and after thoroughly investigating the matter, report the facts to the Senate.

Mr. Payne apprehended that the matter would have to be settled by the Senate after the committee should report, if this course should be adopted. He, therefore, presented the certificate of Mr. Minnis, and asked that he be sworn in.

Mr. Richardson presented the certificate of Mr. Tibbs, as showing that a question was presented as to who should be admitted, which the Senate should investigate.

The Speaker stated the motion before the Senate is that of the senator from Wilson and DeKalb (Mr. Stokes,) for the appointment of a committee of five to whom the matter shall be referred.

The ayes and nays were demanded, and resulted as follows, viz:

Ayes—Messrs. Allen, Boyd, Bradford, Bumpass, Horne, Nash, Richardson, Stokes, Stanton, Stokely, and Trimble—11.

Nays—Messrs. Hildreth, Hunter, Johnson, Lane, Mickler, McClelland, McNeilly, Payne, Peters, Stovall, Thompson, Wood, and Speaker Newman—13.

So the Senate refused to concur in the motion for the appointment of a committee.

The Speaker stated the question then before the Senate, Shall Mr. Minnis be admitted as the Senator from the Eighth Senatorial District?

The reading of the certificates was called for and they were read by the clerk.

Mr. Richardson would ask if Senators could tell who is entitled to the seat from the County of Hamilton? He contended that the Senate cannot decide until the question is settled in regard to the vote of the second and eighth districts of Sequatchie county, which were taken from Hamilton county. If these districts voted with the eighth senatorial district, they did so contrary to the constitution, and their vote should be excluded. He wished to know all the facts in regard to this matter, so as to decide who is entitled to the seat.

Mr. Payne said that Senators were here now to decide the simple question upon the face of the returns of election. If the certificate of Mr. Minnis makes a prima facie case of election, he ought to be admitted to his seat, and then if he electioneers successfully, his contestant can establish his claim and he would get the seat. He contended that so far as this side has to be concerned, the county of Sequatchie should have been given. It was the duty of the sheriffs of the old counties from which Sequatchie was taken to hold the election just as though there was no such county as Sequatchie existed. The sheriff of Sequatchie had no power to hold the election in that county and make return of the same. The returns from the counties composing the district, (Polk, Bradley, Hamilton and Marion,) show that Minnis was elected by thirty-seven majority. What can the Senate do but admit him upon the evidence of his election, if it is genuine? But it is said if the returns from a portion of Sequatchie are included and the remainder excluded, Mr. Tibbs has a majority, and upon this evidence some similar channel will Minnis ask by what authority the returns from Sequatchie should be received? The sheriff of Sequatchie had no right to hold the election, and the sheriff in comparing the returns as required by law to determine who was elected, had no right to receive the return of the sheriff of that county. Sequatchie was a part of the Eighth Senatorial District, (Mr. Payne,) he did not deny that the Senate had a right to count the vote cast in all the county of Sequatchie except in the two districts taken from Grundy county, but argued that the whole should be thrown out, on account of informality—that the county was not known in the senatorial district, when the election was held. Mr. Stokes, that by act of the last Legislature the county of Sequatchie was created, and both certificates show that the sheriff of that county was acting in the election. He was prepared to show the election in the fractions taken from the counties in the eighth senatorial district was constitutional, and the Senate would be recreant to its duty not to recognize that election as valid. [Mr. Stokes read from the code to show that the election was valid.] Suppose the vote in Sequatchie county had gone to Tibbs by the same sheriff, rendered it necessary, before admitting either, to investigate the matter to see who was entitled to the seat. The question now before the Senate, Minnis alone showed a case for investigation, and he hoped the subject would take its proper course by giving before a committee of investigation.

Mr. Richardson contended that the county of Sequatchie was not known in the eighth senatorial district.

Mr. Stokes read from the code to show that Sequatchie was then a part of the district.

Mr. Payne. Then if Sequatchie belongs to the district, Minnis' majority is eighteen.

Mr. Stokes. But the two districts taken from Grundy county were added after the code was adopted.

Mr. Payne resumed his argument, and proceeded to show that if the election was held, was illegal—that it had not even been held in conformity to the code, (sec. 843,) referred to by the gentleman, and it was, therefore, void.

Mr. Stokes inquired how the Senator from Fayette and Shelby, (Mr. Payne,) knew that the election was not held according to the code?

Mr. Payne. The certificate says the sheriff of Sequatchie held the election.

Mr. Stokes said the very argument of the Senator from Fayette and Shelby, (Mr. Payne,) made it necessary for an examination of the facts. If Mr. Minnis is entitled to the seat, he ought to have it; and he could say for Mr. Tibbs if a full investigation does not show he is fairly entitled to the seat, he would not take it.

Mr. Trimble hoped the Senator from Fayette and Shelby (Mr. Payne) would not press this question. He wished to vote understandingly, and he was not prepared to vote now, for he knew nothing of the merits of the question. He had formed no opinion on the question, as he supposed the matter would be referred to a committee, by whom the facts would all be elicited. He thought it was a matter of little consequence to the gentlemen themselves who got the seat, but considered as a precedent, the question was entitled to grave consideration. Mr. Minnis, he said, does not present a clear certificate, but it assumes that if so and so be facts, then he is elected. Mr. Tibbs presents the same kind of a certificate. Hence both occupy alike ground, and he believed it was a question which called for examination by a committee, who should have power to send for persons and papers, and he, therefore, hoped the Senator from Fayette and Shelby would not press his motion, as he desired, he would regret, to vote understandingly.

Mr. Payne moved that the Senate adjourn until nine o'clock to-morrow morning, which motion prevailed, and the Senate adjourned accordingly.

HOUSE OF REPRESENTATIVES.

MONDAY, October 3, 1859.

ORGANIZATION.

The members elect to the Lower House of the Thirty-third General Assembly of the State of Tennessee, met in the Hall of the House of Representatives, at 11 o'clock, a. m., and were called to order by Hon. James E. B. Rhea, Secretary of State.

The secretary appointed Samuel M. Ewing, of Giles, Frank S. Haile, of Greene, and S. E. Mosely, of Davidson, to act as temporary clerks, and directed that, at the clock should call the members of counties and districts the representatives therefrom should appear and take their oath of office.

The counties and districts were accordingly called, and the members present came forward to the forum, submitted their credentials, and took the oath prescribed by the State Constitution, at the hands of Circuit Judge Nathaniel Baxter, who was present for the purpose, and of you, solemnly swear upon the Holy Evangelists of Almighty God, as members of this General Assembly, that you will well and truly support the Constitution of the United States of America, and the Constitution of the State of Tennessee; and do you further swear that you will not be influenced in your votes by favor, affection, partiality, or prejudice; that you will not propose or assent to any bill, vote or resolution, which shall appear to you injurious to the people of this State, or do any thing whatsoever that shall have a tendency to lessen or abridge their rights and privileges as declared by the Constitution of the State of Tennessee. So help you God?" Each member rested his right hand upon the Bible while this oath was being administered, and then reverently kissed the book.

ELECTION OF CLERK OF THE HOUSE.

The Speaker announced the order of the nomination for the principal clerk of the House of Representatives.

Mr. Woods nominated T. E. S. Rossmum, of Rutherford.

Mr. Woodward nominated Wm. H. H. Dodley.

No other person being put in nomination, the vote was taken, and resulted the same as follows:

For Mr. Rossmum, 41 votes.

For Mr. Dudley, 33 votes.

Mr. Rossmum having received a majority of all the votes cast, was declared by the Speaker as duly elected.

ASSISTANT CLERK.

The speaker announced the order for the nomination and election of the first assistant clerk.

Mr. Stokes said the very argument of the Senator from Fayette and Shelby, (Mr. Payne,) made it necessary for an examination of the facts. If Mr. Minnis is entitled to the seat, he ought to have it; and he could say for Mr. Tibbs if a full investigation does not show he is fairly entitled to the seat, he would not take it.

Mr. Trimble hoped the Senator from Fayette and Shelby (Mr. Payne) would not press this question. He wished to vote understandingly, and he was not prepared to vote now, for he knew nothing of the merits of the question. He had formed no opinion on the question, as he supposed the matter would be referred to a committee, by whom the facts would all be elicited. He thought it was a matter of little consequence to the gentlemen themselves who got the seat, but considered as a precedent, the question was entitled to grave consideration. Mr. Minnis, he said, does not present a clear certificate, but it assumes that if so and so be facts, then he is elected. Mr. Tibbs presents the same kind of a certificate. Hence both occupy alike ground, and he believed it was a question which called for examination by a committee, who should have power to send for persons and papers, and he, therefore, hoped the Senator from Fayette and Shelby would not press his motion, as he desired, he would regret, to vote understandingly.

Mr. Payne moved that the Senate adjourn until nine o'clock to-morrow morning, which motion prevailed, and the Senate adjourned accordingly.

HOUSE OF REPRESENTATIVES.

MONDAY, October 3, 1859.

ORGANIZATION.

The members elect to the Lower House of the Thirty-third General Assembly of the State of Tennessee, met in the Hall of the House of Representatives, at 11 o'clock, a. m., and were called to order by Hon. James E. B. Rhea, Secretary of State.

The secretary appointed Samuel M. Ewing, of Giles, Frank S. Haile, of Greene, and S. E. Mosely, of Davidson, to act as temporary clerks, and directed that, at the clock should call the members of counties and districts the representatives therefrom should appear and take their oath of office.

The counties and districts were accordingly called, and the members present came forward to the forum, submitted their credentials, and took the oath prescribed by the State Constitution, at the hands of Circuit Judge Nathaniel Baxter, who was present for the purpose, and of you, solemnly swear upon the Holy Evangelists of Almighty God, as members of this General Assembly, that you will well and truly support the Constitution of the United States of America, and the Constitution of the State of Tennessee; and do you further swear that you will not be influenced in your votes by favor, affection, partiality, or prejudice; that you will not propose or assent to any bill, vote or resolution, which shall appear to you injurious to the people of this State, or do any thing whatsoever that shall have a tendency to lessen or abridge their rights and privileges as declared by the Constitution of the State of Tennessee. So help you God?" Each member rested his right hand upon the Bible while this oath was being administered, and then reverently kissed the book.

ELECTION OF CLERK OF THE HOUSE.

The Speaker announced the order of the nomination for the principal clerk of the House of Representatives.

Mr. Woods nominated T. E. S. Rossmum, of Rutherford.

Mr. Woodward nominated Wm. H. H. Dodley.

No other person being put in nomination, the vote was taken, and resulted the same as follows:

For Mr. Rossmum, 41 votes.

For Mr. Dudley, 33 votes.

Mr. Rossmum having received a majority of all the votes cast, was declared by the Speaker as duly elected.

ASSISTANT CLERK.

The speaker announced the order for the nomination and election of the first assistant clerk.

Mr. Stokes said the very argument of the Senator from Fayette and Shelby, (Mr. Payne,) made it necessary for an examination of the facts. If Mr. Minnis is entitled to the seat, he ought to have it; and he could say for Mr. Tibbs if a full investigation does not show he is fairly entitled to the seat, he would not take it.

Mr. Trimble hoped the Senator from Fayette and Shelby (Mr. Payne) would not press this question. He wished to vote understandingly, and he was not prepared to vote now, for he knew nothing of the merits of the question. He had formed no opinion on the question, as he supposed the matter would be referred to a committee, by whom the facts would all be elicited. He thought it was a matter of little consequence to the gentlemen themselves who got the seat, but considered as a precedent, the question was entitled to grave consideration. Mr. Minnis, he said, does not present a clear certificate, but it assumes that if so and so be facts, then he is elected. Mr. Tibbs presents the same kind of a certificate. Hence both occupy alike ground, and he believed it was a question which called for examination by a committee, who should have power to send for persons and papers, and he, therefore, hoped the Senator from Fayette and Shelby would not press his motion, as he desired, he would regret, to vote understandingly.

Mr. Payne moved that the Senate adjourn until nine o'clock to-morrow morning, which motion prevailed, and the Senate adjourned accordingly.

HOUSE OF REPRESENTATIVES.

MONDAY, October 3, 1859.

ORGANIZATION.

The members elect to the Lower House of the Thirty-third General Assembly of the State of Tennessee, met in the Hall of the House of Representatives, at 11 o'clock, a. m., and were called to order by Hon. James E. B. Rhea, Secretary of State.

The secretary appointed Samuel M. Ewing, of Giles, Frank S. Haile, of Greene, and S. E. Mosely, of Davidson, to act as temporary clerks, and directed that, at the clock should call the members of counties and districts the representatives therefrom should appear and take their oath of office.

The counties and districts were accordingly called, and the members present came forward to the forum, submitted their credentials, and took the oath prescribed by the State Constitution, at the hands of Circuit Judge Nathaniel Baxter, who was present for the purpose, and of you, solemnly swear upon the Holy Evangelists of Almighty God, as members of this General Assembly, that you will well and truly