

JOURNAL OF THE SENATE.

Of the Twelfth regular session of the Legislature under the Constitution of A. D. 1885, begun and held at the Capitol in the City of Tallahassee, State of Florida, Tuesday, 6th day of April, A. D. 1909, being the day fixed by the Constitution of the State of Florida for the meeting of the Legislature.

TUESDAY, APRIL 6, 1909

The Senate convened at 12 noon, and was called to order by President of the Senate Harris.

Prayer by the Rev. Saml. Moran.

Secretary Finley called the roll of hold-over Senators and the following answered to their names:

Senators:

D. H. Baker, of the Twentieth district.

Jno. S. Beard, of the Second district.

Jas. E. Broomè, of the Sixth district.

H. H. Buckman, of the Eighteenth district.

E. S. Crill, of the Twenty-sixth district.

E. L. Cottrell, of the Twelfth district.

T. S. Davis, of the Sixteenth district.

W. M. Girardeau, of the Twenty-second district.

W. Hunt Harris, of the Twenty-fourth district.

Jno. W. Henderson of the Eighth district.

C. L. Leggett, of the Tenth District.

H. H. McCreary, of the Thirty-second district.

F. W. Sams, of the Twenty-eighth district.

Theop. West, of the Fourth district.

The list of the newly elected Senators, certified to by the Secretary of State, under seal, was displayed to the President and body by the Secretary.

The President instructed the Secretary to call the names of the newly elected members and the following answered to their names:

Senators:

A. Z. Adkins, of the Fifteenth district.

Wm. E. Baker, of the Twenty-ninth district.

Brul Cook, of the Twenty-fifth district.

Geo. W. Dayton, of the Ninth district.
 Wm. W. Flournoy, of the Third district.
 R. F. Hosford, of the Fifth district.
 F. M. Hudson, of the Thirteenth district.
 Jos. H. Humphreys, of the Twenty-seventh district.
 J. B. Johnson, of the Seventeenth district.
 L. C. Massey, of the Nineteenth district.
 J. H. B. Miller, of the First district.
 Don C. McMullen, of the Eleventh district.
 D. H. Sloan, of the Seventh district.
 J. A. Williams, of the Twenty-first district.
 I. N. Withers, of the Twenty-third district.
 W. H. H. McLeod, of the Thirtieth district.
 L. W. Zim, of the Thirty-first district.

The oath of office was administered to the above newly elected members, with the exception of Mr. L. C. Massey, of the Nineteenth district, whose eligibility to become a member of the body was challenged by Mr. John S. Beard, of the Second District, upon the ground that Mr. Massey was in the employ of the State of Florida, as attorney for the Railroad Commission.

Mr. McMullen moved that the Senate proceed to the election of officers and attaches of the Senate for 1909.

Which was agreed to.

Mr. McMullen placed in nomination the name of Hon. F. M. Hudson to be President of the Senate.

Mr. McMullen moved that Hon. F. M. Hudson be elected by acclamation,

Which was agreed to.

Hon. F. M. Hudson was declared elected President of the Senate.

Mr. McMullen moved that a committee of three be appointed to conduct the newly elected President to the chair,

Which was agreed to.

The chair appointed Messrs. McMullen, Baker and Henderson, who performed the duty, escorting Mr. Hudson to the chair, where the retiring President of the Senate, Hon. W. Hunt Harris, surrendered the gavel, and Hon. F. M. Hudson assumed the duties of President of the Senate.

Mr. McMullen moved that Hon. D. H. Baker, of the 20th

District, be elected President Pro Tem by acclamation,
Which was agreed to.

Hon. D. H. Baker was declared elected President Pro Tem of the Senate.

Mr. McMullen placed in nomination Hon. Charles A. Finley, of Columbia County, to be Secretary of the Senate.

Mr. McMullen moved that Mr. Finley be elected by acclamation,

Which was agreed to.

Mr. C. A. Finley was declared elected Secretary of the Senate.

Mr. Flournoy moved that Mr. Massey be sworn in as Senator from the Nineteenth District.

Mr. Harris offered a substitute, that the eligibility of Mr. Massey be referred to Committee on Privileges and Elections.

Mr. Beard offered as an amendment to the substitute, that a committee of five be appointed by the Chair to investigate the eligibility of Mr. Massey to be a member of this body.

Which was not agreed to.

The substitute offered by Mr. Harris was ruled out of order.

The question recurred upon the motion of Mr. Flournoy that Mr. Massey be sworn in as a member of this body.

Which was agreed to.

And Mr. Massey was duly sworn in, the oath being administered to him by Mr. Harris, an officer of the State duly qualified to administer oaths.

Mr. McMullen put in nomination the names of the following officers and attaches of the Senate for the session of 1909, to-wit:

Assistant Secretary—Robt. O. Sellars, of Taylor County.

Bill Secretary—C. O. Andrews, of Jackson County.

Reading Secretary—Nathaniel W. Marion, of Hamilton County.

Assistant Reading Secretary—Columbus B. Smith, of Madison County.

Engrossing Secretary—R. A. Smith, of Jefferson County.

Enrolling Secretary—Charles Sams, of Volusia County.

Recording Secretary—Mrs. L. B. Yonge, of Leon County.

Sergeant-at-Arms—F. C. Williams, of Leon County.

Messenger—Elmer W. McCreary, of Alachua County.

Chaplain—Rev. Samuel Moran, of Leon County.

Janitor—Otto Kirchoff, of Volusia County.

Pages—Jefferson Davis Beard, of Escambia County; John Gratton Gamble, of Leon County, and Elmore Collins, of Sumter County.

Mr. McMullen moved that they be elected by acclamation,

Which was agreed to.

And they were declared elected.

And they came forward, with the exception of the Chaplain, Janitor and Pages, and took the oath of office which was administered by Mr. Harris.

Mr. Flournoy moved that a committee of three be appointed to notify the House of Representatives that the Senate is organized and ready to proceed to business,

Which was agreed to.

The President appointed Messrs. Flournoy, Crill and Leggett as said committee.

A committee of three from the House of Representatives, Messrs. Carter, Durrance and Stokes, appeared at the bar of the Senate and announced that they were instructed by the House to inform the Senate that that body was organized and ready to proceed to business.

Mr. West moved that a committee of three be appointed by the President to wait upon His Excellency the Governor and inform him that the Senate was organized and ready to receive any communication he may see proper to submit,

Which was agreed to.

The President appointed Messrs. West, Henderson and Withers, who, after a short absence, appeared at the bar of the Senate and announced that they had performed the duty assigned them, and were discharged.

Mr. Harris moved that the Senate take a recess of five minutes,

Which was agreed to.

The Senate was called to order.

The committees appointed to wait upon the House of Representatives to notify them that the Senate was organized appeared before the bar of the Senate and announced that they had performed their duty, and were discharged.

The committee appointed to wait upon the Governor to notify him that the Senate was duly organized and ready to receive any communication he may see proper to submit, appeared before the bar of the Senate and announced that they had performed their duty, and were discharged.

A message was received from the Governor.

The following resolution was offered by Mr. Beard:

"Resolved by the Senate, That the Chair appoint a committee of five to draft rules for the government of this body and report to the next daily session,"

Which was adopted,

And the President appointed as said committee Messrs. Massey, Harris, Flournoy, Sloan and McMullen as said committee.

Mr. Harris moved that the Senate adjourn until tomorrow at 12 o'clock noon,

Which was agreed to.

Thereupon the Senate stood adjourned until tomorrow, Wednesday, April 7, at 12 o'clock.

WEDNESDAY, APRIL 7, 1909.

The Senate met pursuant to adjournment.

The President in the chair.

The roll being called, the following Senators answered to their names:

Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Buckman, Crill, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—31.

A quorum present.

Prayer by the Chaplain.

Hon. Buel Cook appeared at the bar of the Senate and was sworn in as a member of the Senate from the 25th District, the oath of office being administered by Hon. W. Hunt Harris, a duly authorized officer of the State.

A message from the Attorney General was received.

A message from the Secretary of State was received.