Joint Resolution Number 3

Authorizing the Submission of Article 1 of Senate Bill Number 61 to the People for Ratification or Rejection at the November Election 1919

Resolved by the Senate and the House of Representatives concurring therein:

That the following proposition entitled Article 1 of Senate Bill Number 61 be submitted as a proposed amendment to the Constitution of the State of Oklahoma for ratification or rejection at the general election to be held in November, 1919, at said election and on which ballot the said proposed amendment shall be submitted, separately, and in the following form:

Shall Article 1 of Senate Bill Number 61 be adopted?

☐ yes
☐ no

and ballots used in voting for or against the proposed amendment shall contain the matter to be voted on at such election and shall be prepared, printed, furnished and distributed by the Board of Election Commissioners for the State as required by the laws for elections therein. Provided, that if a majority of all the electors voting at said election shall vote in favor thereof, then said Article of Senate Bill Number 61 shall thereby become a part of the Constitution, and, provided further, that if a majority of all the electors voting thereon at said election shall vote against said Article of Senate Bill Number 61, the same shall thereby, upon the official canvass and publication of the vote thereon, be repealed.

Article One of Senate Bill Number 61

Section 1. A State Agency is hereby created and established at the capital of the State. It shall be under the charge, supervision and management of a Superintendent, who shall be appointed by and hold office during the pleasure of the Governor. He shall take and subscribe the oath prescribed by law and shall give bond in a sum to be fixed by the Governor, of not less than twenty-five thousand dollars, conditioned for the faithful discharge of his duties, and shall receive a salary to be fixed by the Governor, not to exceed fifteen hundred dollars per annum, payable monthly.
He shall under the direction of the Governor employ such assistants, clerical help and labour as may be necessary to carry out the provisions of this Act. As soon as said superintendent shall have been appointed and qualified, he shall proceed to place available for the State Agency, where shall be received and kept, packed, sealed, labeled, numbered and shipped all liquors purchased or acquired for the use of the State Agency for a period not more than three months, and shall add, and by all reasonable means seek to procure, by advertisement and otherwise, bids from manufacturers and wholesale dealers for furnishing the same. He shall establish a standard of quality to which all purchases made for the State Agency shall conform, and upon which all bids shall be based, shall establish suitable rules and regulations for testing and determining the quality of all liquors purchased or acquired for the State Agency under the provisions of this Act. He shall also within the first five days of each succeeding month after the first purchase of liquor, he shall make and keep on file for public inspection a list of all liquors and other supplies to be purchased during the ensuing month, stating the kind, grade, quality and quantity and fixing a date for the purchase thereof. No purchase of any kind of liquor shall be made on time more than is estimated to be necessary for three of the State Agency for the period of three months. All contracts for the purchase of such liquors shall be executed duplicate by the selling or his agent, and by the superintendent and approved by the Governor. All bids shall be opened, the time of all purchases discussed, and all contracts executed publicly. Provided however, that the Governor and the superintendent may reject any and all bids. Any person who shall keep in the office of the superintendent, and the original thereof filed with the Governor. No contract shall be made for the purchase of any liquor with or through any person who is related to the superintendent, or the Governor, within the second degree.

Section II At the end of each month, the Superintendent shall, until otherwise provided by law, make an industrial, and estimated statement under oath, for each month, showing the amount of liquor, or property purchased or otherwise acquired, the amount disposed of; the amount on hand, the amount of cash expended, received and on hand. On copied of each monthly statement shall be filed with the Governor and the other with the State Auditor. He shall also make an annual report at the end of each fiscal year. He shall deposit all cash received from the sale of liquor, or from the source, in such banks or banks as the Governor shall designate, and shall require the same to be invested with the State Treasurer, of the kind and amount as required for deposits of public funds. He shall, from time to time, purchase such additional liquors as may be required to supply the demand of local agents and otherwise use the funds in his possession as may be necessary in carrying out the provisions of this Act. Provided, that all checks drawn on deposits Joint Auditor Number.

By. J. J. Linn, Speaker, Senate and Assembly.
Section III. Until otherwise provided by law, the superintendent shall cause all spiritsuous liquors or spirituous alcohol for pharmaceutical, scientific, or industrial purposes, received at the State Agency, where the same are purchased in bulk, to be transferred in suitable vessels or packages of uniform size and full measure, containing not less than one-half pint or more than one gallon. The maximum size for packages of inimical liquors, except wine, shall not exceed one gallon, each vessel shall be securely sealed, safely delivered and preserved in the liquor against leakage, and each seal shall have an impression thereon of a design to be prescribed by the Superintendent, so that the seal cannot be opened without destroying the seal. Each package of liquor of any kind, before shipping from the State Agency, shall have placed thereon a label bearing a serial number, and correctly stating the kind, quantity, quality, or standard of liquor therein contained, and such other matters as the Superintendent may direct, and shall have plainly printed thereon the price at which the package is to be sold. Said label shall also have printed thereon the following: "This package was sealed and labeled at the State Agency and is sold for any different price than that printed on this label, or if the seal on this package be broken when sold, the buyer or his assigns may, on proof thereof, recover judgment against the local agent selling the same on his official bond for the sum of One Hundred (100) dollars."

Section IV. Until otherwise provided by law, the said price, to be charged by local agents for all liquors sold under the provisions of this Act, shall be computed by adding the cost of all liquor, purchased or acquired for the State Agency, to which shall be added the salaries, printing, freight, special taxes, and all other necessary expenses lawfully incurred, and to the cost so computed shall be added not exceed fifty per centum. Provided, however, that the price so fixed shall be uniform throughout the State, for packages of the size and kind, and provided further, that精神uous alcohol for pharmaceutical, scientific, or industrial purposes shall not be sold at a higher price than the cost to the State Agency, plus the cost of containers and freight with a charge for handling not exceeding the per centum.

Section V. One agency only for the sale of intoxicating liquors for lawful purposes is hereby established in each incorporated town within this State of less than one thousand population or more, and in each county having such an incorporated town of the thousand population, at some place to be fixed by the Governor, Treasurers, and County Commissioners, by the mayor, aldermen, and county commissioner.
designated by the superintendent. Provided, however, that any agency for the sale of intoxicating liquors for lawful purposes may be established by the superintendent, subject to the approval of the Governor, in any incorporated town, city, or town, of one thousand population or more, or at any other place in the State when a public necessity exists therefor; Provided further, the superintendent may prescribe rules and regulations, subject to the provisions hereinafter contained, or that may be hereafter provided by law, under which he shall furnish such liquors to apothecaries or pharmacists, who are actually and in good faith, engaged in business as such, from the State agency or from such convenient warehouses as he may, in his discretion, establish.

Section VII. Until otherwise provided by law, a local agent shall be appointed by the Governor at each local agency, who shall not be less than thirty-one years of age, shall not be addicted to the use of intoxicating liquors as a beverage and shall not have been engaged in the manufacture or sale of any venous, spirituous or other liquors or any imitation thereof or substitute thereof, with an firearm not preceding his appointment, and who shall not be a practicing physician. He shall take the oath prescribed by law and shall execute a bond in the sum of not less than one thousand dollars, conditioned that he will not sell any such liquors except in the manner provided by law, and that he will faithfully account for all money or property that may come into his hands and deal and perform all things required to be done or performed by him as such agent and shall well and truly perform all judgments, and pay all fines and penalties adjudged against him.

[Signature]
Governor of the State of Oklahoma.

[Signature]
Speaker of the House of Representatives.

Approved: April 16th, 1908
O. R. Underhill
Governor.
State Question No. 1, is a proposed constitutional amendment and relates to the law now in force establishing a State Agency and local agencies for the sale of intoxicating liquors for medical and scientific purposes only; each sale to be registered; no sale to be made except upon prescription signed by a registered practicing physician; if adopted, will amend the Constitution so as to authorize the Agency Superintendent with the approval of the Governor, to establish one such agency in each town of one thousand population, or wherever else a public necessity exists therefore.
STATE QUESTION NO. 1 -- INITIATIVE PROPOSED BY THE LEGISLATURE

ARGUMENT

Shall Alcoholic Liquors be Prohibited for Medical and Scientific Purposes?

TTTTTTTTTT H E Article on Prohibition, submitted separately
TT TT TT and adopted by the people at the last election as
TT TT a part of the Oklahoma Constitution, specifically
TTTT authorizes the Legislature to do what it has done
in passing the Billups Law (Senate Bill 61), including the
establishing of Agencies for the sale of liquors for medical
and scientific purposes in towns of two thousand population.

Article I of said law establishes such Agencies in such
size towns. It also proposes to authorize the Agency Super-
intendent, with the approval of the Governor, to establish
them in towns of one thousand population, or wherever else
public necessity demands because of distance from another
Agency, etc.; but to do this the Constitution must be amended.

The purpose of the proposed amendment is, that the peo-
ple living in the country or smaller towns may not be put to
so much more inconvenience than the people living in the
cities, whenever they have to buy liquors for medicine.

The size of towns where Agencies may be established is
the only respect wherein this measure proposes a change in
the Constitution.
If a majority of the people vote "yes" on this question, besides the Agencies now established the Agency Superintendent and Governor will be authorized to establish them in smaller towns when necessary; but if a majority on this subject vote "no," the Agencies already established will be discontinued.

In any event prohibition of liquor for beverage purposes will continue. The question of prohibition or no prohibition is not involved in this election. The only difference will be, that if this question is voted down, there will be no lawful way in this State to buy alcohol or other intoxicating liquors when required by the physician for medical purposes.

Physicians and Alcohol

While some physicians never prescribe straight alcohol or whiskey, there are others apparently just as conscientious and successful who do prescribe it in the treatment of malaria, typhoid fever, tuberculosis, asthma, pneumonia, etc. They sometimes prescribe malt liquors as a tonic.

Whether they are right or wrong is a scientific, not a legal, question. The doctors themselves disagree about it. And so long as there are honest physicians who believe that alcoholic liquors are sometimes useful in relieving suffering and saving life, the law ought to provide an honorable way for procuring them, under restrictions such as will reduce abuses to a minimum. Whenever the doctors agree among themselves that liquor is never needed as medicine, then will be soon enough to pass laws making it a crime to furnish it as medicine.

Prohibition Laws of Other States

Alcohol to get drunk on, and alcohol as medicine, are two very different propositions. Prohibitionists have always made that distinction. The prohibition section of the Kansas constitution reads as follows:

"The manufacture and sale of intoxicating liquors shall be forever prohibited in this State, except for medical, sci-
entific and mechanical purposes."

Maine's constitutional provision excepts "the sale and keeping for sale of such liquors for medicinal and mechanical purposes and the arts."

North Dakota prohibits the manufacture, sale, etc., of intoxicating liquors "as a beverage."

None of the prohibition or local-option States attempts to prohibit liquor for medical or scientific uses.

Kansas and North Dakota allow the drug stores to sell it for medical purposes. This system is open to great abuse. Unscrupulous men enter the drug business in order to sell whiskey unlawfully.

Maine has it sold through Agencies under State supervision, where a careful record is kept of each sale.

Oklahoma, believing the Maine Agency system better than the Kansas and North Dakota drug-store system, adopted it, after improving upon it. Representatives of the prohibition organizations of the two Territories asked Congress not to make the prohibition provisions of the Enabling Act so stringent as the old Federal law in Indian Territory, but to allow for the sale of liquors for medical and scientific purposes, as other prohibition States do. So the Agency provisions were incorporated in the Enabling Act, and the people voted to apply them to the whole State.

The Drug Business

Those who favor prohibition so strict that they "would not let a drop be made," have forgotten their chemistry. It would be about as easy to run a hardware store without iron as a drugstore without alcohol. Alcohol enters into about 85% of all liquid preparations compounded or sold at drug stores. Note the following examples:

<table>
<thead>
<tr>
<th></th>
<th>Percent Alcohol</th>
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</thead>
<tbody>
<tr>
<td>Jamaica ginger</td>
<td>95%</td>
</tr>
<tr>
<td>Laudanum</td>
<td>50%</td>
</tr>
<tr>
<td>Listerine</td>
<td>25%</td>
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<tr>
<td>Paragoric</td>
<td>50%</td>
</tr>
<tr>
<td>&quot;Rubifom&quot;</td>
<td>45%</td>
</tr>
<tr>
<td>&quot;Sosodont&quot;</td>
<td>37%</td>
</tr>
</tbody>
</table>
Spirits camphor . . . . . . 90%
Sweet spirits nitre . . . . . . 90%
Tinctureaconite . . . . . . 70%
" arnica . . . . . . . . . 50%
" capsicum (red pep-
ger). . . . . . . . 90%
" iodine . . . . . . . . . 95%

The Billups Law (Art. I, Sec. 5; with Art. II, Sec. 8) provides that any druggist may keep on hand alcohol needed in compounding bona-fide prescriptions, tinctures, etc., to that extent which the internal-revenue laws permit him to go without paying the liquor-dealer's special tax. But the druggist must execute a $1,000 bond that he will confine himself strictly within this limit. He can not fill prescriptions for straight alcohol or whiskey. Only the Agency can do that.

The purpose of this provision is, not only to protect the public against unscrupulous druggists, but also to protect honest druggists against unscrupulous joint-keepers, who would otherwise open up drug stores as blinds behind which unlawfully to sell liquor, thereby bringing the drug trade into disrepute.

But if this question should be voted down, there would be no way under the State law whereby the druggist could buy and keep alcohol needed in compounding prescriptions.

**Interstate-Commerce Laws**

Some have argued that the druggist could buy alcohol outside the State and have it shipped under protection of the interstate-commerce laws.

But the hundreds of druggists in towns off the railroad could not do this, because they are not reached by interstate transportation companies.

Moreover, all the prohibition and local-option States are now urging Congress to amend this feature of the interstate-commerce laws, because it is the principal means the bootlegger uses in defying the laws of the States. Probably the next Congress will pass such an amendment.
public

But at any rate it would be bad policy for the State to pass laws forbidding its citizens to do what it contemplated they would have to do under protection of Federal laws that are inconsistent with its own laws.

The thing if it is right, the State ought to frame its laws so that the thing can be done with honor. This is the purpose of the Agency system.

"Dispensary"

The word "dispensary" used in describing the Agency has done more than anything else to prejudice the people against it. Because, that word has a technical meaning in liquor legislation; namely, the South Carolina experiment, where the State sells liquor to its citizens for beverage purposes.

The Oklahoma Agency is nothing like that. It is a registry system, similar to that of the U. S. mails, for keeping track of sales for admittedly proper purposes, as a means to more effectively prohibit unlawful sales for beverage purposes. Every bottle is consigned to the Agent by number. He must account for each—to whom sold, when, upon what physician's prescription. Before prescribing, the physician must make a personal diagnosis of the case and judge this to be the remedy required. He is not an omniscient doctor—

Furthermore, every kind of liquor sent out is first tested by the chemist of the University of Oklahoma.

"Dispensary" is a good English word, but South Carolina has disgraced it. It is not used in the Oklahoma law.

The difference between the South Carolina "dispensary" and the Oklahoma Agency is the difference between booze when any booser wants it and medicine when the doctor prescribes it.

The Dishonest Doctor

Some fear that physicians will issue prescriptions for liquor not needed as medicine.

Such cases may arise. But on the whole there is no more
trustworthy class of citizens than the physicians. Shall the
State prohibit the thousands of honest doctors, the duty of
exercising their best judgment in cases of serious sickness?
No.

Moreover, any citizen may examine the Agency records any
day. Everything a doctor does in this connection is constant-
ly under the public eye. A physician going into the booze-
prescribing business would soon lose his standing, besides
being subject to prosecution. He could not stand long under
the limelight where this law holds him.

**Agents' Compensation**

The commission paid Agents, some have thought, might
stimulate them to seek larger sales.

There might be something in this if bootleggers were
appointed Agents -- if there were anything an Agent could do
to increase sales.

No, an Agent will not "keep the regular brand to sell
lawfully, and sell another brand on the side unlawfully." If
he should conclude to sell any unlawfully, before begin-
ing that he would resign. Because an ordinary citizen, if
convicted, might get off with $50 fine and thirty days impris-
onment; whereas an Agent's lowest penalty is a year.

It would not be good public policy for the State to be
paying out salaries to a large number of men sitting around
doing nothing. These Agents will not have much official bus-
iness. As well talk about a merchant getting rich retailing
hairpins as to talk about a man making his living out of this
job. He must needs have other business; and there is just
enough in this side-line to compensate him for time actually
given to it. Perhaps the pay is not enough. Many are doing
it chiefly as a public service, because the people want a
thoroughly trustworthy man.
How Much Can One Man Buy?

Opponents have said, "A half gallon of whiskey, and a gallon of wine, and three gallons of beer, every day!"

Not so.

No purchasing limit whatever is in the Kansas law. But the Oklahoma Legislature saw fit to fix a maximum limit. In doing so they necessarily considered the man having to ride thirty-five miles to an Agency and back. If that man's physician prescribes alcohol baths for a typhoid-fever patient in his family, who would say that two quarts is too much for him to get at a time? But near-by patients can not purchase that much.

Beer is prescribed usually as a tonic, continuing through a series of weeks. Therefore the maximum limit on malt liquors is a case -- two dozen pint bottles --"three gallons."

Conclusion

The question is this:

Shall alcoholic liquors be prohibited for medical purposes?

Shall our colleges and universities be prohibited from teaching chemistry for want of alcohol for scientific purposes?

Is that the kind of prohibition the people of Oklahoma voted for? (Read the Enabling Act and the Constitutional provision again.)

When this bill was under discussion in the Committee of the Whole House, one of the Representatives, a minister of the gospel, who was opposing the Agency feature, was led by the Speaker to admit on the floor of the House that he had had to buy liquor and introduce it into Indian Territory contrary to law, because his physician said it was necessary to save his brother's life.

"Now, then," responded the Speaker, "we are trying to incorporate a provision in this prohibition bill whereby hon-
orable men will not be compelled to violate the laws of the State in order to save a brother's life."

Recently a gentleman was talking against the Agency system in the Governor's office. He "believed in absolute prohibition." In answer to Governor Haskell's questions he admitted that, "if a member of his family were dangerously ill and his physician said he would have to have alcohol or whiskey, he would get it if he could, law or no law."

"Well, now," said the Governor, "you don't expect us to sit here and pass laws that would make criminals out of good citizens like you under circumstances like that, do you?"

That is the argument for the Agency in a nutshell.

E. M. Swartz
For the Anti-Saloon League of Oklahoma.

Richard A. Billew
Chrmn. Senate Com. on Prohibition Enforcement.

W. M. McDole
Chrmn. House Com. on Prohibition Enforcement.
UNITED STATES OF AMERICA, SS.

STATE OF OKLAHOMA.

OFFICIAL CANVAS OF THE VOTE GIVEN ON STATE QUESTION NO. 1.

Now, on this, the 3rd day of December, 1908, and at the office of the Secretary of the State of Oklahoma, in the city of Guthrie, and State of Oklahoma, I, Bill Cross, Secretary of State, do in the presence of His Excellency, C. N. Haskell, Governor of the State of Oklahoma, canvass the vote cast upon State Question No. 1, the official title of said State question No. 1 being as follows:

BALLOT TITLE.

State Question number one is a proposed Constitutional amendment and relates to the law now in force establishing a State Agency and local agencies for the sale of intoxicating liquors for medical and scientific purposes only; each sale to be registered; no sale to be made except upon prescription signed by a registered practicing physician; if adopted, will amend the Constitution so as to authorize the Agency Superintendent, with the approval of the Governor, to establish one such agency in each town of one thousand population, or wherever else a public necessity exists therefor.

The law providing for the establishment of agencies for the sale of alcoholic liquors for medical and scientific purposes only—Shall it be adopted?

YES ☑
NO ☐

The said question was submitted according to law to the people of the State of Oklahoma at the election held on November 3, 1908, in the State of Oklahoma and the returns of the votes cast therein and thereon as returned and certified to me by the County Clerks of the various counties of the State of Oklahoma show as follows:

Total number of electors voting at such election, 226,965.
Total number of electors voting yes, 105,392.
Total number of electors voting No, 121,573.
Majority against ☐ said proposition, 16,181.

IN TESTIMONY WHEREOF, I, Bill Cross, Secretary of State have affixed my hand and the Seal of this office on the day and date first above written.

Bill Cross,
Secretary of State.

By
Assistant Secretary of State.

I, C. N. Haskell, Governor of the State of Oklahoma, do hereby certify that the above and foregoing returns were, by the Secretary of State canvassed in my presence and on the date and in the manner aforesaid.

Governor.

December 3, 1908.
OFFICIAL STATE QUESTION

Numbers One, Two, Three and Four, respectively, of the General Election on the third day of November, 1908, by order of the State Auditor, to State Questions Numbers Three referred to the said General Election, and duly by order of Initiative Petition Numbers Four,

TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Table No.</th>
<th>Agency</th>
<th>System</th>
<th>Page</th>
</tr>
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Question No. 1.

Yea. 103,392 No. 121,573 Majority No. 18,181

These returns do not include bimarrow county as that county failed to get their tickets canvassed.
State Question No. 1

Submitted by Joint Resolution No. 3, page 770, Session Laws 1907-08.
The gist of the proposition is as follows:
The creation of a State Agency for the purpose of dispensing spirituous liquors in original packages on physician's prescriptions.
Shall the Amendment be adopted?

Vote:  Yes  105,392
No  121,573

Necessary to carry  124,398

Amendment Rejected
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<tr>
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</table>

*Legend for Tally SHEET:

1. Yes
2. No
3. Invalidmark
4. Blank

*Signature of Official:

[Signature]

*Date:

[Date]
STATE OF OKLAHOMA
EXECUTIVE DEPARTMENT

Proclamation

Pursuant to the provisions of Section sixteen (16) of Chapter forty-four (44) Session Laws of Oklahoma, 1907-1908, I, C.M. Haskell, Governor of the State of Oklahoma, do hereby declare and proclaim that there was submitted to the qualified electors of the State at the election held on the third day of November, 1908, the following:

STATE QUESTION NO. 1
REFERENDUM PROPOSED BY THE LEGISLATURE.

Sample Ballot:

State Question number one. Referendum proposed by the Legislature.

Question: Shall there be a referendum ballot to be used on Tuesday the third day of November, 1908, entitled by order of the Legislature?

Ballot Title:

State Question number one, is a proposed Constitutional amendment and relates to the law now in force establishing a State Agency and local agencies for the sale of intoxicating liquors for medical and scientific purposes only; an act to be made except upon prescription signed by a registered practicing physician; if adopted, would amend the Constitution so as to authorize the Agency Superintendent, with the approval of the Governor, to establish one such agency in each town of one thousand population, or wherever else a public necessity exists therefor.

The law providing for the establishment of agencies for the sale of alcoholic liquors for medical and scientific purposes only—Shall it be adopted?

Yes [X]
No [ ]

- NOTE: The voter is directed to express his will by placing a cross (X) in the square to the right of the word expressing his choice. The cross above indicates a vote for the proposed law.

That a canvass of the returns of said election on said question show the following vote:

Yes: One Hundred and five thousand, three hundred and ninety two (105,392).

No: One hundred and twenty one thousand, five hundred and seventy-three (121,573)

That by virtue thereof, Article one (1) of Chapter sixty-nine (69), Session laws 1907, 1908, stands repealed.

In testimony thereof, I have hereunto set my hand and caused these presents to be attested by the Great Seal of the State of Oklahoma, this the third (3) day of December, In the Year of Our Lord, Nineteen Hundred and Eight, and of the Independence of the United States of America, the One Hundred and thirty-third.

[Signature]
Governor.

Attest:

[Signature]
Secretary of State.
OFFICIAL CANVAS OF THE VOTE GIVEN ON STATE QUESTION NO. 1.

Now, on this, the 3rd day of December, 1906, and at the office of the Secretary of the State of Oklahoma, in the city of Guthrie, and State of Oklahoma, I, Bill Cross, Secretary of State, do in the presence of His Excellency, C. N. Haskell, Governor of the State of Oklahoma, canvass the vote cast upon State Question No. 1, the official title of said State question No. 1 being as follows:

BALLOT TITLE.

State Question number one is a proposed Constitutional amendment and relates to the law now in force establishing a State Agency and local agencies for the sale of intoxicating liquors for medical and scientific purposes only; each sale to be registered; no sale to be made except upon prescription signed by a registered practicing physician; if adopted, will amend the Constitution so as to authorize the Agency Superintendent, with the approval of the Governor, to establish one such agency in each town of one thousand population, or wherever else a public necessity exists therefor.

The law providing for the establishment of agencies for the sale of alcoholic liquors for medical and scientific purposes only—Shall it be adopted?

YES ☑
NO ☐

The said question was submitted according to law to the people of the State of Oklahoma at the election held on November 3, 1906, in the State of Oklahoma and the returns of the votes cast therein and thereon as returned and certified to me by the County Clerks of the various counties of the State of Oklahoma show as follows:

<table>
<thead>
<tr>
<th>Total number of electors voting at such election,</th>
<th>226,965.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of electors voting yes,</td>
<td>105,392.</td>
</tr>
<tr>
<td>Total number of electors voting No,</td>
<td>121,573.</td>
</tr>
<tr>
<td>Majority against ☐ or said proposition,</td>
<td>16,181.</td>
</tr>
</tbody>
</table>

IN TESTIMONY WHEREOF, I, Bill Cross, Secretary of State have affixed my hand and the Seal of this office on the day and date first above written.

Bill Cross
Secretary of State.

By
C. J. Meyer
Assistant Secretary of State.

I, C. N. Haskell, Governor of the State of Oklahoma, do hereby certify that the above and foregoing returns were, by the Secretary of State canvassed in my presence and on the date and in the manner aforesaid.

C. N. Haskell
Governor.

December 3, 1906.
OFFICIAL CANVASS OF THE VOTE GIVEN ON STATE QUESTION NO. 2.

Now, on this, the 3rd day of December, 1908, and at the office of the Secretary of the State of Oklahoma, in the city of Guthrie, and State of Oklahoma, I, Bill Cross, Secretary of State, do in the presence of His Excellency, C. N. Haskell, Governor of the State of Oklahoma, canvass the vote cast upon State Question No. 2, the official title of said State question No. 2 being as follows:

BALLOT TITLE.

This is a proposed amendment to the State Constitution, drafted by Wm. H. Murray, which if adopted will authorize the Legislature to establish a system known as the Torrens Land Title Registration System, for adjudicating land titles, and determining the rightful owner of land, issuing proper certificates of title and providing for registration and transfer of title; providing that when the title to land is ascertained and certificates issued that the state be empowered to guarantee such title, displacing the present system of registration of deeds and making of abstracts of title.

Proposed amendment to the State Constitution to become Sec. 61 of Art. V, authorizing the "Torrens' Land Title Registration System"—Shall it be adopted?

YES ☐

NO ☐

The said question was submitted according to law to the people of the State of Oklahoma at the election held on November 3, 1908, in the State of Oklahoma and the returns of the votes cast therein and thereon as returned and certified to me by the County Clerks of the various counties of the State of Oklahoma show as follows:

Total number of electors voting at such election, 196,282.
Total number of electors voting Yes, 114,394.
Total number of electors voting No, 81,888.
Majority in favor of said proposition, 32,506.

IN TESTIMONY WHEREOF, I, Bill Cross, Secretary of State have affixed my hand and the Seal of this office on the day and date first above written.

Bill Cross
Secretary of State.

By Leo Meyer
Assistant Secretary of State.

I, C. N. Haskell, Governor of the State of Oklahoma, do hereby certify that the above and foregoing returns were, by the Secretary of State canvassed in my presence and on the date and in the manner aforesaid.

Governor.

December 3, 1908.
OFFICIAL CANVASS OF THE VOTE GIVEN ON STATE QUESTION NO. 3.

Now, on this, the 3rd day of December, 1908, and at the office of the Secretary of the State of Oklahoma, in the city of Guthrie, and State of Oklahoma, I, Bill Cross, Secretary of State, do, in the presence of His Excellency, C. N. Haskell, Governor of the State of Oklahoma, canvass the vote cast upon State Question No. 3, the official title of said State Question No. 3 being as follows:

BALLOT TITLE:
State Question number Three (3) is a proposed amendment to the constitution, drafted by Milton Bryan, providing that the permanent capital may be located at any time by a majority vote of the electors of the State voting on the question, and is intended to supersede the force and effect of a provision in the Enabling Act prohibiting the location of the capital until after the year 1913. Proposed amendment to the State Constitution to become Section 2 of Article XXI, providing for the location of the capital of the State.

Shall it be adopted?
YES ☐ NO ☐

The said question was submitted according to law to the people of the State of Oklahoma at the election held on November 3, 1908 in the State of Oklahoma and the returns of the votes cast therein and thereon as returned and certified to me by the County Clerks of the various counties of the State of Oklahoma show as follows:

Total number of electors voting at such election, 192,285.
Total number of electors voting yes, 120,332.
Total number of electors voting No, 71,933.
Majority in favor of said proposition, 48,419.

IN TESTIMONY HEREOF, I, Bill Cross, Secretary of State have affixed my hand and the Seal of this office on the day and date first above written.

Bill Cross
Secretary of State.

By: Assistant Secretary of State.

I, C. N. Haskell, Governor of the State of Oklahoma, do hereby certify that the above and foregoing returns were, by the Secretary of State Canvassed in my presence and on the date and in the manner aforesaid.

[Signature] Governor.
OFFICIAL CANVASS OF THE VOTE GIVEN ON STATE QUESTION NO. 4.

Now, on this, the 3rd day of December, 1908, and at the office of the Secretary of the State of Oklahoma, in the city of Guthrie, and State of Oklahoma, I, Bill Cross, Secretary of State, do in the presence of His Excellency, C. N. Haskell, Governor of the State of Oklahoma, canvass the vote cast upon State Question No. 4, the official title of said State Question No. 4, being as follows:

BALLOT TITLE.

State Question number four presents a question of public policy wherein it is proposed that the state shall select and secure a suitable location for a capital city; the site to be owned and controlled by and the lots therein sold for the benefit of the State. Shall the State select and secure a site for the capital city; said city to be owned and controlled by, and the lots therein sold for the benefit of the State. — Shall it be adopted?

YES [ ]
NO [ ]

The said question was submitted according to law to the people of the State of Oklahoma at the election held on November 3, 1908, in the State of Oklahoma and the returns of the votes cast therein and thereon as returned and certified to me by the County Clerks of the various counties of the State of Oklahoma show as follows:

Total number of electors voting at such election, 193,233.
Total number of electors voting Yes, 117,441.
Total number of electors voting No, 75,792.
Majority in favor of said proposition, 41,649.

IN TESTIMONY WHEREOF, I, Bill Cross, Secretary of State, have affixed my hand and the Seal of this office on the day and date first above written.

Bill Cross
Secretary of State.

By

Assistant Secretary of State.

I, C. N. Haskell, Governor of the State of Oklahoma, do hereby certify that the above and foregoing returns were, by the Secretary of State canvassed in my presence and on the date and in the manner aforesaid.

C. N. Haskell
Governor.

December 3, 1908.
Now on this the 3rd day of December 1908 and at the office of the Secretary of State of Oklahoma, in the city of Guthrie, and the State of Oklahoma, I, Bill Cross, Secretary of State, do in the presence of His Excellency, C.M. Haskell, Governor of the State of Oklahoma, canvass the vote cast upon State question No. 5, the official title of said question No. 5 being as follows.

**Ballot Title.**

State question No. 5 is a proposed law authorizing the sale of the school and other public lands at public auction giving the lessee right to purchase at, the highest bid. It limits all sales to one hundred and sixty acres, to one person, until 1915, when the amount may be increased to three hundred and twenty acres - requires two years' residence with farm improvements, gives purchaser forty years time of payment with privilege to pay out after five years, ten per cent payable in case of the deferred payments bear five per cent interest and lands are taxed from date of purchase.

State question No. 5 proposed by initiative petition-for sale of school and other public lands of Oklahoma. Shall it be adopted.

**YES. □**

**NO. □**

The said question was submitted according to law to the people of the State of Oklahoma at the election held on November 3rd, 1908, in the State of Oklahoma, and the returns of the votes cast therein and thereon, as returned and certified to me, by the County Clerks of the various Counties of the State of Oklahoma, show as follows,

Total number of Electors voting at such election. 207,585
Total number of electors voting yes, 96,745
Total number of electors voting no, 110,840

Majority against said proposition 14,095

IN TESTIMONY WHEREOF I, Bill Cross, Secretary of State, have affixed my hand and seal of this office on the day and date first above written.

[Signature]
Secretary of State

By [Signature]
Asst. Secretary of State.

I, C.M. Haskell, Governor of the State of Oklahoma do hereby certify that the above and foregoing returns were, by the Secretary of State, canvassed and in my presence on the day and in the manner aforesaid.

[Signature]
Governor.

December, 3, 1908.