(6) R. OK

Joint Resolution Number 3.

Authorizing the Submission of Article 1. of Senate Bill No. 61 to the People for Ratification or rejection at the November Election 1908.

Be it Resolved by the Senate, 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, 1908; 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 no other matters 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 1 of Senate Bill Number 61, shall thereby, upon the official canvass and publication of the vote thereon, 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 1 of Senate Bill Number 61, the same shall thereby, upon the official canvass and publication of the vote thereon, be repealed.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 eighteen hundred dollars per annum, payable monthly.

H. S. Blair, For Com. on Cm and Eng.

He shall, under the direction of the Governor, employ such assistants, clerical help and labourers, 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 procure a place suitable for the State Agency, where shall be received, and kept, packed, sealed, labeled, numbered and shipped out all liquors purchased or acquired for the use of the State under the provisions of this Act. He shall estimate, as nearly as can be, the quantity and kind of intoxicating liquors, and other supplies necessary for the use of the State Agency for a period of not more than three months, and shall invite, 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, as the needs of the State Agency may require, make out and keep open 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 at one time more than is estimated to be necessary for the use of the State Agency for the period of three months. All contracts for the purchase of such liquors shall be executed in duplicate by the seller, or his agent, and by the Superintendent, and approved by the Governor. All bids shall be opened, the terms of all purchases discussed, and all contracts executed publicly; Provided however, that the Governor and the Superintendent may reject any and all bids. A copy of every such contract shall be kept in the office of the Superintendent, and the original thereof filed with the Governor. No contract shall be made for the purchase of any liquors with or through any person who is related to the Superintendent, or the Governor, within the third degree.

Section II At the end of each month, the Superintendent shall, until otherwise provided by law, make out, in duplicate, an itemized statement under oath, for such month, showing the amount of liquor or other property purchased or otherwise acquired, the amount disposed of; the amount on hand; the amount of cash expended, received and on hand. One copy of such 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 sales of liquors, or from other sources, in such bank or banks as the Governor shall designate, and shall require security therefor to be deposited with the State Treasurer, of like 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

H. S. Blair, For Com. on Em. and Eng.

by the Superintendent shall be countersigned by the Governor.

Section III. Until otherwise provided by law, the Superintendent shall cause all spirituous liquors except alcohol for pharmaceutical, scientific, or industrial purposes, received at the State Agency where the same are purchased in bulk, to be put up in suitable vessels or packages of uniform size and full measure, containing not less than one-half pint nor more than one-half gallon. The maximum size for packages of vinous liquors, so put up, shall not exceed one gallon. Each vessel shall be securely sealed, safely to enclose and preserve the liquors against leakage, and each seal shall have an impression thereon, of a design to be prescribed by the Superintendent, so that the vessel 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 and quality, or standard of liquor, therein contained, and such other matter 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 if 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 selling price to be marked upon each package of liquor and to be charged by local agents for all liquors sold under the provisions of this Act, shall be computed by counting the cost of all liquors 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 to exceed fifty percentum; Provided, however, that the price so fixed shall be uniform throughout the State for packages of like size and kind; and provided further, that 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 container and freight with a charge for handling not exceeding three percentum.

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 two thousand population or more, and in each county having no such incorporated town of two thousand population, at some place to be

designated by the Superintendent; Provided, however, that one 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 within this State, of one thousand population or more, or one such agency at any other place in this State where 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 VI. Until otherwise provided by law, a local agent shall be appointed by the Governor, at each local agency, who shall not be less than twenty-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 vinous, spirituous or malt liquors or any imitation thereof or substitute therefor, within five years next 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 ($1000) 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 moneys or property that may come into his hands and do 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.

Henry S. Johnston
President Pro Tempore of Senate.

[illegible]
Speaker of the House of Representatives.

Approved April 16th 1908
O. M. Barkell
Governor of the State of Oklahoma.

Joint Resolution Number 3.
H. S. Blair
For Com. on Cn. and Eng.

Page Four.

State Question, Legislative Referendum Measure No. 1.
Ballot Title.

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 therefor.

State Question
No. 1. Ref. Pet. #3

Ballot Title,
Canvass of vote.
~~Proclamation~~

STATE QUESTION NO. 1 -- REFERENDUM PROPOSED BY THE LEGISLATURE

ARGUMENT

Shall Alcoholic Liquors be Prohibited for Medical and Scientific Purposes?

THE Article on Prohibition, submitted separately and adopted by the people at the last election as a part of the Oklahoma Constitution, specifically 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 Superintendent, 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 people 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 authotized 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 diagree 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:

	Percent. Alcohol.
Jamaica ginger	95%
Laudanum	50%
Listerine	25%
Paregoric	50%
"Rubifoam"	45%
"Sozodont"	37%

Spirits camphor	90%
Sweet spirits nitre	90%
Tincture aconite	70%
" arnica	58%
" capsicum (red pepper).	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

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

If the thing is right, the State ought to frame its laws so that it 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. ~~Else he too is subject to serious penalties.~~

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 boozer 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 doing 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 constantly 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~~
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 beginning that he would resign. Because an ordinary citizen, if convicted, might get off with $50 fine and thirty days imprisonment; 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 business. 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 ~~fk~~ 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 Oklahma 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, Jr.,
For the Anti-Saloon League of Oklahoma.

Richard A. Billups,
Chrmn. Senate Com. on Prohibition Enforcement.

Wm Murdock
Chrmn. House Com. on Prohibition Enforcement.

UNITED STATES OF AMERICA, | SS.
STATE OF OKLAHOMA. |

OFFICIAL CANVASS 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 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.

C. N. Haskell
Governor.

December 3, 1908.

Voted on Nov. 3rd 1908.

OFFICIAL PAMPHLET OF

STATE QUESTIONS

Numbers One, Two, Three and Four, referred to the General Election on the third day of November, 1908, by order of the Legislature; also State Question Number Five, referred to the said General Election on said date by order of Initiative Petition Number One.

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Question No #1.	Yes. 105.392	No. 121.573	Majority No. 16.181
" " 2	" 114.394	" 83.888	" Yes. 30.506
" " 3	" 120.352	" 71.933	" " 48.419
" " 4	" 117.441	" 75.792	" " 41.649
" " 5	" 96.745	" 110.840	" No. 14.095

These returns do not include Cimarron County as that county failed to get their returns canvassed.

___GENERAL ELECTION NOVEMBER 3, 1908___

State Question No. 1 **Legislative Referendum 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

Property of Leo Meyer

TALLY SHEET

QUESTIONS VOTED FOR

74 Counties
all except Cimarron C

STATE QUESTION NO. 1.
Referendum proposed by the Legislature.

YES. 105.392
NO. 121.573 Majority No. 16.181

STATE QUESTION NO. 2.

YES. 114.394 Majority yes. 30506
NO. 83.888

STATE QUESTION NO. 3.

YES. 120.352 Majority yes. 48.419
NO. 71.933

STATE QUESTION NO. 4.

YES. 117.441 Majority yes 41.649
NO. 75.792

STATE QUESTION NO. 5.

YES. 96.745
NO. 110.840 Majority No. 14.095

We the undersigned official counters of the electionin .....County, ...township, precinct No. ....., held November 3, 1908, hereby certify that the above votes cast for and against each of State Questions 1, 2, 3, 4 and 5, at said election, and that the results of said election is as above shown. Dated this ..... d

..... Official Counter. ..... Official Counter. ..... Official Counter. .....

TALLY SHEET

QUESTIONS VOTED FOR	Adair	Alfalfa	Atoka	Beaver	Beckham	Blaine	Bryan	Caddo	Canadian	Carter	Cherokee	Choctaw	Cimarron	Cleveland	Coal	Comanche	Craig	Creek	Custer	Delaware
STATE QUESTION NO. 1. Referendum proposed by the Legislature.													not filed							
YES.	546	1684	494	1538	1677	1400	1332	2898	1629	1312	874	727	495	1294	752	2876	776	1388	1654	639
NO.	786	1482	971	1061	1298	1654	2059	2849	2407	2301	1068	1294	308	1538	1188	2884	1780	1764	1799	726
STATE QUESTION NO. 2.																				
YES.	525	1510	760	1559	1236	1270	1722	2720	2221	2116	1021	1100	503	1124	1060	3482	1178	1760	999	836
NO.	545	1309	446	729	1391	1450	1181	2319	1389	1064	503	608	124	1439	652	1590	1045	1017	2104	361
STATE QUESTION NO. 3.																				
YES.	543	1579	675	1483	1696	1181	1703	3169	2354	2072	983	1091	546	1374	1114	3742	1127	1693	1413	846
NO.	435	1163	451	715	846	1600	1055	1763	1270	916	489	548	171	1181	557	1320	981	958	1683	291
STATE QUESTION NO. 4.																				
YES.	574	1656	682	1534	1736	1176	1664	3180	1980	2044	1007	1077	552	1034	1059	3781	1123	1648	1373	851
NO.	397	1129	464	663	841	1456	1103	1762	1581	966	445	564	157	1504	593	1329	978	1009	1627	276
STATE QUESTION NO. 5.																				
YES.	441	1651	375	1415	905	1262	980	3673	1469	1220	751	430	594	548	864	4039	557	1230	948	553
NO.	570	1411	898	980	1916	1520	2082	1736	2314	2076	783	1488	167	2101	868	1932	1727	1550	2303	615

We the undersigned official counters of the electionin .....County, ...township, precinct No. ....., held November 3, 1908, hereby certify that the above a votes cast for and against each of State Questions 1, 2, 3, 4 and 5, at said election, and that the results of said election is as above shown. Dated this ..... da

..... Official Counter. ..... Official Counter. ..... Official Counter. .....

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TALLY SHEET

Custer	Delaware	Dewey	Ellis	Garfield	Garvin	Grady	Grant	Greer	Harper	Haskell	Hughes	Jackson	Jefferson	Johnston	Kay	Kingfisher	Kiowa	Latimer	Le Flore	Lincoln	Logan	Love	Marshall	Major	Mayes
54	639	906	1426	2426	1688	2352	1669	1886	946	867	1379	1495	863	947	2574	1587	1797	599	1466	3068	2282	592	578	1139	901
99	726	1650	1294	3167	1972	1911	1997	1229	713	1238	1602	1075	1220	1352	2620	2029	2134	732	1562	3437	3526	566	847	1544	1092
99	836	575	1264	2943	2184	2585	1914	1484	1015	1150	1605	1061	1091	1423	2864	1639	1165	780	1616	3353	2131	686	755	478	1043
04	361	1796	1070	2072	900	1073	1347	965	539	853	1004	1094	635	604	1770	1634	2456	335	676	2160	3207	239	480	2004	594
13	846	877	1407	2949	2184	2631	1927	1831	1008	1362	1697	1422	1102	1283	2664	1689	2132	672	1556	3266	1523	733	821	1048	1019
83	291	1384	936	2080	795	881	1287	587	511	548	826	778	594	570	1859	1529	1427	351	608	1887	3823	177	378	1372	545
73	851	931	1472	2927	1961	2537	1996	1801	1048	1415	1703	1293	1029	1293	2618	1755	2159	717	1614	3891	1502	736	827	996	1047
27	276	1384	870	2047	1022	1009	1265	627	460	497	850	880	644	570	1863	1483	1373	424	613	1724	3753	184	378	1391	527
48	553	914	1365	3128	1495	1982	2115	1409	1016	1079	1178	800	864	924	2806	1321	1381	424	1563	3885	2184	626	474	1096	596
03	615	1375	1158	2134	1779	1703	1373	1560	636	1058	1463	1563	1019	1127	2057	2029	2399	750	826	1959	3141	366	851	1428	1103

at the above and foregoing contains all the
d this ..... day of November, 1908.

.....
Official Counter.

ficial counters of the electionin .....County, ...township, precinct No. ....., held November 3, 1908, hereby certif
ach of State Questions 1, 2, 3, 4 and 5, at said election, and that the results of said election is as above shown.

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Official Counter.

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Official Counter.

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Official Counter.

TALLY SHEET

Muskogee	Nowata	Okfuskee	Oklahoma
867	1379	1495	863
947	2574	1587	1797
599	1466	3068	2282
592	578	1139	901
714	314	1037	880
2193	1161	847	792
4492	7		
1238	1602	1075	1220
1352	2620	2029	2134
732	1562	3437	3526
566	847	1544	1092
1341	951	1405	923
2707	1650	697	1251
5652	9		
1150	1605	1061	1091
1423	2864	1639	1165
780	1616	3353	2131
686	755	478	1043
778	615	1171	975
3036	839	721	1079
5183	9		
853	1004	1094	635
604	1770	1634	2456
335	676	2160	3207
239	480	2004	594
1006	429	808	554
1589	1760	570	744
3620	7		
1362	1697	1422	1102
1283	2664	1689	2132
672	1556	3266	1523
733	821	1048	1019
1053	583	1028	1131
2953	1088	799	1022
6164	9		
548	826	778	594
570	1859	1529	1427
351	608	1887	3823
177	378	1372	545
729	457	845	413
1379	1427	394	751
2587	6		
1415	1703	1293	1029
1293	2618	1755	2159
717	1614	3891	1502
736	827	996	1047
944	567	1069	958
2992	1106	829	959
4130	9		
497	850	880	644
570	1863	1483	1373
424	613	1724	3753
184	378	1391	527
795	409	849	538
1360	1389	370	809
4770	6		
1079	1178	800	864
924	2806	1321	1381
424	1563	3885	2184
626	474	1096	596
480	280	813	789
1804	1393	823	719
3603	8		
1058	1463	1563	1019
1127	2057	2029	2399
750	826	1959	3141
366	851	1428	1103
1472	1011	1190	845
2522	1257	497	1085
5572	8		

the electionin .....County, ...township, precinct No. ....., held November 3, 1908, hereby certify that the above and foregoing contains all the stions 1, 2, 3, 4 and 5, at said election, and that the results of said election is as above shown.

Dated this ..... day of November, 1908.

ficial counter: ach of State

..... Counter.

..... Official Counter.

..... Official Counter.

..... Official Counter.

..... Offic

TALLY SHEET

Oklahoma	Okmulgee	Osage	Ottawa	Pawnee	Payne	Pittsburg	Pushmataha	Pontotoc	Pottawatomie	Rogers Mills	Rogers	Seminole	Sequoyah	Stephens	Texas	Tillman	Tulsa	Wagoner	Washington	Washita	Woods	Woodward
92	716	1402	1016	1764	2007	2305	313	1311	2605	1148	1187	951	1000	1476	1666	2060	1966	923	1331	1529	1688	1675
52	977	1429	1015	1363	2228	2929	496	1700	3424	1131	1454	1124	1913	1355	1107	866	2279	1175	1187	1603	1405	1418
83	980	1568	1173	1992	2188	2852	374	1535	3518	739	1557	1021	1308	1263	1852	1510	2446	1179	1599	884	1888	1568
20	727	834	502	805	1564	1527	254	977	1901	1299	681	595	1188	1244	584	529	1437	845	577	1899	1120	1071
64	970	1537	1123	1875	2038	2641	395	1750	4117	1030	1319	984	1228	1744	1772	1562	2395	1037	1511	1571	1617	1674
87	659	792	505	852	1560	1573	182	731	1285	829	650	530	1123	679	607	467	1402	919	568	1134	1039	916
30	987	1519	1194	1901	2040	2595	429	1692	3576	1069	1136	980	1220	1757	1846	1534	2395	1078	1511	1646	1591	1744
70	644	799	460	841	1691	1943	163	277	1895	910	636	536	1134	703	589	477	1356	884	569	1052	1076	875
03	824	1332	914	1953	2050	1955	343	1133	2529	754	614	729	920	1364	1725	1326	1648	817	1267	897	1422	1580
72	897	1106	871	941	1891	2105	320	1537	3121	1431	1724	1061	1626	1219	853	846	2154	1286	860	2104	1522	1307

counters of the electionin .....County, ...township, precinct No. ....., held November 3, 1908, hereby certify that the above and foregoing contains all the of State Questions 1, 2, 3, 4 and 5, at said election, and that the results of said election is as above shown.

Dated this ..... day of November, 1908.

..... Official Counter.

..... Official Counter.

..... Official Counter.

..... Official Counter.

No 368 1/2

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.N. 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. Official Referendum Ballot to be used on Tuesday the third day of November, 1908, issued 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; 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 [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 WHEREOF, 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.

C N Haskell
Governor.

ATTEST:

Bill Cross
Secretary of State.

Ref. Plt. #3.

Proclamation declaring result of election —

Filed Dec. 3, 1908 —

Recorded in Ex. Rec. No. 10 at page 143

Date of Recording:—
Oct 6, 1914
Benjamin Harrison

(Note:— This instrument was filed erroneously and not previously recorded.) B.H.

UNITED STATES OF AMERICA, |
| SS.
STATE OF OKLAHOMA. |

OFFICIAL CANVASS 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 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.

C N Haskell
Governor.

December 3, 1908.

UNITED STATES OF AMERICA, }
STATE OF OKLAHOMA. } SS.

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 Legisla- 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,	198,282.
Total number of electors voting Yes,	114,394.
Total number of electors voting No,	83,888
Majority in favor of said proposition,	30,506.

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.

C N Haskell
Governor.

December 3, 1908.

UNITED STATES OF AMERICA, }
} SS.
STATE OF OKLAHOMA. }

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,	120,352.
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 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.

C. N. Haskell
Governor.

UNITED STATES OF AMERICA, }
STATE OF OKLAHOMA. } SS.

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 Stateof 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 Leo Meyer
Assistant Sedretary 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.

OFFICIAL CANVASS OF THE VOTE GIVEN OF STATE QUESTION

NO. 5.

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 Exencellency, C.N. 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 privilige to pay out after five years, ten per cent payable in cash~~xxxxxxxxx~~ deferred payments bear five per cent interest and lands are taxed from date of purchase.

State question No. 5 proposed by initiative pettition-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 Oklahom, 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, o95

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.

Bill Cross
Secretary of State
By Geo. Meyers
Asst. 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 and in my presence on the date and in the manner aforesaid.

C.N. Haskell
Governor.

December, 3, 1908.