House Joint Resolution No. 17

A Resolution Proposing An Amendment
To The Constitution of the State of Oklahoma.

First Resolved: By the Senate, the House of Representatives concurring therein, that the Governor of Oklahoma is hereby authorized and directed to submit an amendment to the State Constitution of the State of Oklahoma, to vote of the people at the earliest possible date.

The Constitution of the State of Oklahoma shall be amended as follows:

A Proposed Constitutional Amendment, Entitled:

A Constitutional Amendment To The Constitution
Of The State Of Oklahoma, By Adding To Said Con-
stitution, An Article To Be Known, And Designated
As Article 24, Said Article Authorizes And Pro-
vides For The Industrial Rehabilitation And
Equalized Compensation Or Farm Or Home Aid
To All Soldiers And Certain Dependents Of Deceased
Soldiers Who Served Honorably, From The State Of
Oklahoma, In The War Between The United States
And The German Empire, And Its Allies, Prescribing
Qualifications Of Those, The Shall Receive Such Loan
Or Cash Compensation, Fixing The Amount Of
Such Loan Or Compensation, And Creating A Com-
mission To Be Known As The 'Soldiers' State Aid-
Commission,' And Defining The Powers And
Duties Of Said Commission; Authorizing The Issu-
ance And Prescribing The Character And Amount
Of Bonds To Be Issued, And Creating A Special
Fund From The Proceeds Thereof, To Carry Out The
Purpose Of This Act, And Providing How Said Bonds
Shall Be Issued And Sold, And Providing Wages
And Minutes By Which The Interest On Said Bonds
Shall Be Paid When Due, And The Bondholders
Paid At Maturity.
Be it enacted by the People of the State of Oklahoma:

Section 1. That the Constitution of the State of Oklahoma be amended by adding the following Article, which shall be known as Article 26, which said Article 26 shall be in words and figures as follows:

Article 26. Each person hereafter called "soldier," who enlisted or was inducted or served honorably, from the State of Oklahoma, in the military or naval forces of the United States, including nurses, at any time between the 6th day of April, 1917, and the 11th day of November, 1918, shall be entitled to receive from the State of Oklahoma, out of funds created by this amendment to the Constitution of the State of Oklahoma, a bonus, in the amount of Fifty ($50.00) Dollars per month home aid, or Thirty ($30.00) Dollars cash per month, for each month or major fraction of a month, that said soldier was in active service, and the time of service shall be computed from the date of induction to the date of his final discharge;

Provided, however, that no person shall receive a bonus who has been paid a State bonus from any other State in the Union for the same service;

Provided further, that no time shall be computed for reenlistment after November 11, 1918, in the World War;

Provided further, that no soldier shall receive more than the maximum sum of Two Hundred Fifty ($250.00) Dollars cash, or Two Hundred ($200.00) Dollars as home aid.

Section 2. The word "soldier" as used in this Amendment, shall be construed to mean and include any soldier in the army, navy, marine, nurse, or other person regularly enlisted, commissioned or inducted, who was a part of the military or naval forces of the United States in the War with Germany and its allies, and who was a resident of the State of Oklahoma, at the time he was commissioned, enlisted or inducted, appointed or mustered into the military or naval service of the United States. And be it further provided, that the word "soldier" shall not be deemed to include welfare workers, or persons engaged in the work of the Red Cross, Young Men's Christian Association, County Welfare, or any other organization.

And be it further provided, that no soldier shall receive any benefits accruing under this Amendment, who was dishonorably discharged from the service of the United States army or navy, or who shall have at any time during the period of the war with Germany and its allies, sought to avoid service because of conscientious objections thereto, or who shall have been, at any time, guilty of any fraud or willful violation or evasion of the Selective Service Act, or of the rules and regulations of the War Department in force thereunder, or who, though in the service, did civilian work at civilian pay, or for the time spent while taking training in any
student army training corps, or who has received from other states a bonus or compensation of like nature as provided in this Amendment.

Section 3. In the case of the death of any person who would, if living, be entitled to the benefits under this Amendment, the same shall be paid to the persons in order named:

First: Surviving wife;

Second: Surviving child, and if there be more than one child surviving, then equally among such children;

Third: Surviving mother;

Fourth: Surviving father;

Provided, that if the applicant for the exact compensation shall die before the payment of such compensation, then such application shall be deemed inure to the benefit of the person or persons thereby entitled thereto.

Section 4. No right of payment under this Amendment shall be subject to the claims of any creditors, nor shall it be capable of assignment nor be regarded as assets of the estate of a deceased person nor made the basis for administration thereof, except as hereinafter provided.

Section 5. For the purpose of administering this Amendment, there is hereby created a Commission to be known as the Soldiers' State Aid Commission. Such Commission shall consist of the Governor, who will be ex-officio chairman of the Commission, the Secretary of State, of the State Treasurer, of the Attorney General, and of the Adjutant General of the State.

Section 6. The Commission shall select a secretary who shall be in charge of the administrative functions of such Commission under the direction of such Commission. Such secretary shall receive a salary of not to exceed Three Thousand Six Hundred ($3,600.00) dollars per annum.

Section 7. The Commission shall have and maintain an office in the State Capitol at Oklahoma City, and shall have authority to employ not to exceed three assistants for the secretary thereof, at an annual salary of not to exceed Two Thousand Four Hundred ($2,400.00) dollars each and to prescribe proper rules and regulations for the carrying out of this Amendment. The Attorney General shall be the legal adviser of the Commission.

No court shall have jurisdiction over said Soldiers' State Aid Commission except the Supreme Court of the State.

Section 8. It shall be the duty of the Commission to determine as expediently as possible, the persons who are entitled to the payments under this Amendment, and to make such payments after such determination without delay. The Commission is hereby authorized, empowered, and directed to do any act or thing necessary
to fully meet the requirements of this Amendment and this power shall be liberally construed by the Commission and by the Supreme Court. No charge made by any agency, notary, public or attorney for service in connection with obtaining any of the benefits as provided for under this Amendment, shall be recognized by the Commission, and any person who, for a consideration, advances money on or discounts any warrant issued pursuant to the terms of this Amendment shall be guilty of a felony.

Section 7. Of the Commission, after due consideration, shall finally determine the claim of any person for the bonus under this Amendment, the reason for said allowance shall be filed with the application and notice thereof mailed to the applicant at his last known post office address. Within sixty (60) days after such notice, the applicant may file with the Secretary of the Commission an application for reconsideration by the Commission. The Commission shall thereafter, without delay, take up such motion and dispose of the same, and its action on said motion shall be final.

Section 8. Whenever any application for such bonus has been approved in whole or in part, by the Commission, it shall cause to be prepared a voucher for the proper amount, transmit the same to the Auditor of the State, who shall audit the same and issue a non-transferable warrant for the same in the proper amount, upon the State, payable to the order of the applicant, and deliver said warrant to the Secretary of the Commission and take his receipt therefor. It shall be the duty of the Commission to transmit such warrant by mail, to the applicant direct or hand the warrant to the applicant, and not to any other person or persons.

Section 9. Any beneficiary under this Amendment, shall have the privilege of exchanging his warrant for a "State of Oklahoma World War Soldier's Compensation Bond" thereafter created, provided such warrant is issued on the basis of said cash compensation.

It shall be the duty of the State Treasurer to pay all such warrants when presented properly endorsed, out of the "Soldier's Fund." All warrants drawn by the State Auditor pursuant to, and under the provisions of this Amendment, shall be on a form to be prepared by the Commission herein created.

Said warrants shall be numbered consecutively, from one upward, and shall be printed on a color of paper, easily distinguishable from that of other warrants, and shall be registered in a book or books provided especially for that purpose.

Section 10. Whoever shall knowingly make a false statement under oath, orally or written, of a material fact relating to a claim under a provision of this Amendment, or knowingly participate in the allowance of fraudulent claims, shall be guilty of a felony and punishable by a fine of not more than Ten Thousand (10,000.00) Dollars or by imprisonment for not more than one (1) year in the State Penitentiary, or by both such fine and imprisonment.
Section 10. Any claimant under this Amendment shall make his election of the character of aid to be received by him, within two years after the said Soldiers' State Aid Commission shall begin to function, and if such claimant elects to take the benefits of the home aid provision of this Amendment, the said claimant shall have two years from the date of such election, in which to exercise his privileges under the provisions of the home aid section of this Amendment. Provided, that benefits of home aid shall not apply to next of kin. Provided further, that if applicant fails to secure home aid within such period, he or his next of kin in case of his decease, shall not be precluded from participating in cash compensation.
Section 11. The sum here provided by this Amendment may be used either in the purchase of a home to pay off an existing mortgage on a home then owned or to be applied on the purchase of a home where the able-bodied male is entitled to borrow money from the State as herein provided.

Section 12. The State of Oklahoma, for the purpose of assisting in the industrial rehabilitation and providing for home or home aid for those entitled to aid under this Amendment shall loan to each person entitled, a maximum amount of Fifteen Hundred ($1,500.00) Dollars, plus the amount of home aid bonus to which he may be entitled and loans will be made in multiples of one Hundred ($100.00) Dollars, and no loan for a sum of less than Five Hundred ($500.00) Dollars nor greater than Two Thousand ($2,000.00) Dollars including home aid bonus will be made. Provided, that the maximum amount so loaned shall not in any event exceed the sum of Two Thousand ($2,000.00) Dollars including home aid bonus. Provided further, that the amount to which any person may be entitled under the home aid provision of this Amendment shall not be considered a part of aid bonus income as repayment is concerned, but shall be taken into consideration in arriving at the said maximum amount of said Two Thousand ($2,000.00) Dollars.

Whenever a soldier has selected the land or home he desires to purchase under the provisions herein, he shall file his application with the Commission in such form as may be prescribed by the Commission, setting forth such information as may be required by the Commission. Whenever such application is made, the Commission, if satisfied with the desirability of the real estate and that such person has agreed with the Commission to actually move upon such property within six months from the date of said loan, the Commission shall be empowered to enter into a contract of purchase with the owner and to purchase said real estate from the owner thereof, upon such terms as may be agreed upon. The Commission shall enter into a contract with the
any other things, provisions that the purchaser shall maintain, pay for, or have in his place of residence, keep in good order and repair all buildings, fences or other permanent improvements situated thereon, and that such purchaser shall, if required, insure and keep insured against fire and theft all buildings on said land, all policies of to be make out in favor of the Commission, in such amount or amounts as may be approved by the Commission.

In the event of a failure of a farm or home purchaser to comply with any of the terms of the contract of purchase and agreement with the Commission, the Commission shall have the right, at its option, to cancel said contract of purchase and agreement, and thereupon shall be released from all obligations at law or in equity to convey the property and the purchaser shall forfeit all right to it, and all payments therefore made shall be deemed to be rental paid for occupancy.

When a seller shall have fully performed all the conditions of the contract of purchase, the commission or its successor in trust, shall execute and deliver to said seller, the deed conveying to him the title of said commission, made to the purchaser as furnished.

Section 14. Any soldier qualified to receive a home or cash compensation shall have the option of electing to take either a cash compensation or home aid, but may not receive both.
Section 15. Any soldier who shall elect to take home
said under the provisions of this Amendment shall not be
entitled to receive interest after such election that such
amount due him shall remain unpaid.

Section 16. For the purpose of paying the compensation
as provided for by this Amendment, the State of Oklahoma
through its officers, is hereby authorized, empowered and
directed to borrow upon the credit of the State an aggregate
sum of not exceeding twenty-five million ($25,000,000.00) dollars,
in the manner herein provided. The Governor, Secretary and
State Treasurer, when so directed to do by the Soldiers' State
Aid Commission, shall sign all bonds, coupons and prom-
issory notes, and do such acts and things as may be necessary
for the better carrying out of the provisions of this Act.

Section 17. As evidence of the indebtedness herein
authorized to be incurred, there shall be issued from
time to time, as the occasion may require, the bonds of
the Soldiers' State Aid Commission, in the aggregate
sum of twenty-five million ($25,000,000.00) dollars. They
shall be issued in denominations of one hundred ($100.00)
dollars each, and upwards, in even multiples, and bear
such date or dates, as the Commission may determine, and
shall not be subject to acceleration, but the income
from such bonds or coupons shall be taxable. They shall
bear such rate of interest as may be fixed by the Com-
mmission, not exceeding five (5) percent payable semi-
annually, and the several semi-annual amounts of
interest to accrue shall be evidenced by appropriate
coupons of proper number attached to each bond.

In the event of the Commission, the first coupon on
any such bond may be made payable at any designated
time, not longer than one (1) year from its date, and in...
such cases such coupon shall be for the amount of the interest on the bond to the date of the maturity of such bond. They shall be numbered consecutively from one (1) upward, and shall mature in such amounts and at such time or times not exceeding twenty (20) years from the date they bear as the Commission may determine. With the principal of the bonds herein authorized to be issued and the interest that will accrue thereon, shall be payable in gold coin of the United States of America, of the present standard weight and fineness, at the office of the State Treasurer in Oklahoma City. The full faith, credit and resources of the State of Oklahoma are hereby and hereinafter pledged to the punctual payment of the principal at maturity and the interest of such bonds issued under authority of this Amendment, as they severally fall due. All bonds issued under and by virtue of this Amendment, and the interest coupons attached thereto shall be in such form, as may be prescribed by the Attorney General. They shall be issued under the great seal of the State of Oklahoma and shall be executed by the Governor, attested by the Secretary of State, and countersigned by the State Treasurer. The interest coupons shall be signed by the State Treasurer. The bonds herein authorized and the interest coupons attached, when executed, authenticated, and sold, shall constitute valid and binding obligations of the State of Oklahoma, although the same may have been signed at a date after the officer or officers signing, attesting or countersigning them shall have ceased to be incumbent of their several offices—respectively. How directed or to be by the Railroad and Commerce, the State Auditor shall provide bonds herein authorized, and shall lodge them with the State Treasurer in whose custody and charge they shall remain until delivered to the purchaser or purchasers therefor. All bonds herein authorized shall be paid at maturity, and all interest accruing thereon shall be paid when it falls due by the State Treasurer, at a place nominated in the bonds and coupons attached. Thirty days before any of the bonds mature, and the interest falling due,
the State Auditor shall draw his warrant on the State Treasury in a sum sufficient to pay maturing bonds and interest falling due. Whenever, in the opinion of the State Board of Equalization, it is advisable so to do, and there are sufficient funds therefore, the State Treasurer may redeem any of the said bonds before maturity if the holders thereof agree thereto; and may also purchase any of said bonds in the open market whenever funds are available, and, in the opinion of said Equalization Board, it is to the advantage of the State to do so.

Section 18. The bonds herein authorized to be issued may be either registered or coupon bonds. Coupon bonds may be registered in the name of the holder. The registry to be certified thereto by the State Treasurer, and the name of the registered owner of the bond to be placed in the registration clause on the back thereof, together with the signature of said Treasurer, after which the transfer shall be valid unless made by the registered owner in person or by attorney upon the books of the State Treasurer and the name of the newly registered owner similarly placed on the back of the bond. Bonds registered as to principal may be discharged from registration by being transferred to bearer, after which they shall be transferable by delivery but may again be registered as to principal as before. The registration of the bonds as to principal shall not restrain the negotiability of the coupon by delivery.
Section 19. Coupon bonds may also be registered as to interest and the coupons surrendered and interest made payable only to the registered holder of the bond. For that purpose the State Treasurer shall detach and cancel the coupons and shall endorse on a statement on the bonds that the coupon sheet issued therein has been surrendered by the holder and the coupons cancelled by him and that the semiannual interest is thereafter to be paid to the registered holder, or order, by draft, check or warrant drawn payable at the place of payment specified in the bonds. Bonds registered under this section, may, with the consent of the State Treasurer and the holder of the bond, be reconverted into coupon bonds at the expense of the holder thereof and again accounted into registered bonds from time to time. The Soldiers' State Aid Commission shall pass regulations or orders, as may be necessary to give effect to the provisions hereof. The State Treasurer shall keep in his office such book or books as may be necessary for the registration of the bonds as herein provided. No writing on this bond except by the Treasurer of the State of Oklahoma.

In accordance with a provision in this bond, this bond may be registered in the name of the owner, the registry to be certified herein by the Treasurer of the State of Oklahoma, after which no transfer shall be valid unless made by the registered owner in person or by attorney upon the books of the said Treasurer and the name of the new registered owner similarly placed in the registration by being transferred to bearer, after which the bond shall be transferable by delivery, but it may be again registered as before. The registration of this bond shall not restrain the negotiability of the coupons by delivery merely, until the surrender and cancellation of the said coupons as provided in said bond.

State Treasurer

[Signature]

[Date of Registration]

[In whose name registered]

In accordance with a provision in this bond, the unmatured coupons issued hereunder have been surrendered by the holder of the bond and cancelled by the Treasurer of the State of...
Oklahoma, the semi-annual interest on the bond is hereafter to be paid to the registered holder or order upon proper acknowledgment of the receipt thereof.

Dated, Oklahoma City, Oklahoma, 192-

Treasurer of the State of Oklahoma

Section 20. All registered bonds herein authorized shall have printed on the face thereof a clause substantially the following form:

"This registered bond is in substitution for, and in lieu of, 'State of Oklahoma World War Soldiers Compensation Bonds,' dated the __ day of __, 19__, numbered __, both inclusive, which have been surrendered and cancelled simultaneously, with the issuance of this registered bond. This registered bond may be transferred by executing a duly acknowledged transfer of assignment thereof and by presentation to the State Treasurer, who shall register the said bond in the name of the transferee."

All coupon bonds exchanged for registered bonds shall have printed on the face thereof a clause in substantially the following form:

"This coupon bond is in substitution for, and in lieu of registered 'State of Oklahoma World War Soldiers Compensation Bond,' numbered __, and dated the __ day of __, 19__, which has been surrendered and cancelled simultaneously with the issuance of this coupon bond."

Section 21. None of the bonds authorized to be issued by this amendment shall have validity or be negotiable, until the same have been presented to the State Auditor, who shall register the same in a book or books to be provided for that purpose, and the auditor shall certify by endorsement on each bond that all of the conditions of this amendment have been complied with in its issuance, and that the evidence of that fact has been presented to and filed by him in his office; Provided, however, that if the auditor believes that all of the conditions of this amendment have not been complied with he may apply to the Commission for direction, and the order of the Commission shall be final; and the auditor is commanded to comply therewith; and provided further,
that the remedy of mandamus shall lie at the instance of any
bone fide resident of the State of Oklahoma, who served honorably
in the military or naval forces of the United States of America at
any time between the 6th day of April, 1917, and the 11th day of Nov,
ember, 1918, to compel the registration by the State Auditor of any
bonds authorized to be issued by this Amendment, that are al-
leged to be legally issued and authorized and entitled to be re-
istered as herein provided, and provided further, that the Egyp
town shall have original and exclusive jurisdiction in such
mandamus proceedings.

Section 21. The State Treasurer shall offer the bonds
at public sale, and shall provide such methods as he may deem
necessary for the advertisement of the sale thereof, and shall re-
quire a deposit with each bid of such sum as in his judgment
will be sufficient to guarantee the fulfillment thereof, and generally
conduct the sale or sales of such bonds under such rules and re-
gulations as shall be from time to time prescribed in his discretion,
and the same are consistent with this Amendment. The Treasurer may reserve the
right to reject any and all bids, if no bids satisfactory to the
Treasurer are received at such public sale then the Treasurer
may sell all, or any part of the bonds so advertised at private sale,
to the best advantage, and the proceeds thereof shall be paid in
the State Treasury. Provided, that no bonds issued under this Ammend-
ment shall be sold at public or private sale at less than par of
its face value, and accrued interest from its date.

Section 22. The money derived from the sale of the
bonds authorized and directed to be issued by this Amendment
shall be paid "into the State Treasury, to the credit of a fund to be
known and designated "Soldiers' State Compensation Fund," out of
which shall be made the disbursements authorized to be made by
this Amendment.

Section 23. There is hereby created a fund in an
for the State Treasury to be known and designated as the "Oklas-
home Soldiers' Compensation Bond Interest and Sinking Fund." The
State Treasurer is hereby authorized and directed to credit to the
fund the proceeds of the taxes levied and collected to pay the
bonds authorized to be issued by this Amendment, and pay into the
fund all interest derived from the loan money in this fund by th
State Treasurer; provided however, that no money in this fund shall be loaned by the Treasurer unless such loan is secured by bonds of the United States or bonds of the State of Oklahoma, in an amount equal in value to such loan; provided further, however, that the State Treasurer may, with the advice and consent of the Commission, enter into a contract or agreement with any individual, bank or financial institution to loan on said security any or all money that may be placed in said fund for a stipulated number of years; providing that such individual, bank or financial institution shall purchase the bonds authorized to be issued under this Amendment, and pay therefor, par value and accrued interest, and be it further provided, that any bank, trust, or insurance company, organized under the laws of this State, may invest in the bonds, issued under the provisions of this Amendment. The officer having charge of the sinking fund of this State, or of any County, city, town, township or school district therefor, may invest the sinking fund of the State or of the County, city, town, school, township, or school district in the State of Oklahoma World War Soldiers' Compensation Bonds, which mature prior to the due date of the bonded indebtedness for the payment of which such sinking fund is created. Said bonds shall be approved collateral be security for the deposit of any public funds or trust funds and for the investment of trust funds.
Section 25. There shall be also issued Bonds of the State of Oklahoma for the purpose of raising money to accomplish the loan feature herein provided, which Bonds shall be known and designated as "State of Oklahoma World War Soldiers' Home Loan Bonds," payable to bearer, and not exceeding in the aggregate the sum of Thirty Million ($30,000,000.00) Dollars, which shall be issued in denominations of One Hundred ($100.00) Dollars each and upward in such multiples, and bear such date or dates as the Commission may determine and shall not be subject to ad valorem tax, but the income from such Bonds or coupons shall be taxable under the income tax law. They shall bear interest such as may be fixed by the Commission, not to exceed five (5) per cent, payable semi-annually, and the several semi-annual amounts of interest to accrue shall be evidenced by appropriate coupons in proper number attached to such Bond. Provided that in the direction of the Commission, such coupons may be made payable at any designated time not longer than five years from its date and in such case each coupon shall be for the amount of interest on the bonds to the date of maturity of such coupon. They shall be numbered consecutively from one upward, and shall mature in such amounts and at such time or times not exceeding Twenty-five (25) years from the date they bear, as the Commission may determine. Both the principal of the bonds herein authorized to be issued and the interest that will accrue thereon, shall be payable in gold coin of the United States of America of the present standard weight and fineness, at the office of the State Treasurer in Oklahoma City, Oklahoma.

A Bond shall be secured by the assets of the Home medals of the State of Oklahoma, and the Credit and resources of the State of Oklahoma are pledged to the punctual payment of the principal at maturity or the interest on the Bonds under the authority of this Amendment, even as such "State of Oklahoma World War Soldiers' Home Loan Bonds" are concerned. All Bonds issued...
under and by virtue of this section, and interest 
thereon, attached thereto shall be in such form as 
may be prescribed by the attorney general, there 
with to contain under the great seal of the State of 
Oklahoma, and shall be executed by the Governor, atta 
ted by the Secretary of the State and countersigned 
by the State Treasurer. The interest coupons shall be 
signature by the State Treasurer. Such bonds shall be 
an instrument that they are secured by real estate 
deed, and that the value of the real estate at 
the time the bond is so made to the amount of 
the maturity date of the bonds shall correspond, as near as practicable, 
with the maturity date of the loan made. Such bonds 
shall be sold on terms and on money in interest to 
make bonds as provided in this act. The fund raised from 
the payment of the bonds to the bond holder, shall 
be set aside in a fund to be known as the "Bonds' Home 
Loan Trust," which said fund shall not be used except for 
the purpose of retiring bonds and paying interest accrued 
for the purpose of obtaining money for such loans. Wherein 
in the opinion of the bonds' State Aid Commission, 
it is advisable so to do, and when an sufficient fund 
therefor, in said "Bonds' Home Loan Trust" the State 
Treasurer may retire any of such bonds before maturity, 
of the bonds thereof agree thereto, and may also purchase 
any of such bonds in the open market, whenever 
are available.

Section 30. The rules governing the form 
of the foregoing bonds and the registration and form of 
registration thereof, and the advertisement and sale ther 
of, shall be the same as herein provided for the bond 
issue for the said payments.

Section 31. The Commission created by this 
act shall be abolished by an act of the Legislature, as 
soon as the purpose for which it was created shall 
be done by the State Legislature sufficiently, upon the abolition of the Commission, the bonds, payee,
records, together with its filing cover and equipment shall be delivered to the adjutant general of the state, and said books, papers and records shall become a part of the permanent records in the office of the adjutant general; provided, that after said commission is abolished, all duties of the commission shall be performed by the adjutant general.

Section 18. If any section, subdivision, section, clause or phrase in this amendment is, for any reason, held by any court of competent jurisdiction, to be in violation of any provisions of the constitution of the United States, then and in that event, such holding or decision shall not affect the validity of the remaining portion or portions of this amendmend.

Section 19. Immediately upon the passage of this amendment the Arkansas state adjutant general’s state, adjutant general, shall issue and proceed to carry out, without delay, the provisions of this amendment. Money required for carrying out the provisions of this amendment and before money is realized by the sale of bonds, where he has by the commission verified the number of the persons and the amount to be paid and the nature of the obligation to the state treasurer, and thereupon the state auditor shall issue his warrant and the treasurer shall pay such warrant upon presentation of any money in the state treasury, not otherwise appropriated. Any state officer or state official who fails, refuses or neglects to comply with any order, direction or rule of the adjutant state adjutant general may be compelled to comply, therefor by order of the superior court upon a summons providing brought in the superior court by any officer entitled to compensation, after the bonds are sold, all revenue paid out of the state treasury under this section shall be returned to the state treasury from the officers’ compensation trust, after the sale of bonds, and the order and procedure for so doing shall be made by the adjutant state adjutant general.
Section 20. This Amendment shall be submitted to the people of the State of Oklahoma for their approval or rejection at a special election to be held not less than thirty (30) days and not more than one year (1) from the adjournment of the legislature which passes this Amendment.

Section 21. The Secretary of State is hereby authorized and directed to set aside, for an affirmative argument of this Amendment or measure, two pages or more of the official pamphlet containing proposed initiative and referendum measures to be voted upon at the election at which this Amendment is submitted. A committee consisting of two Senators and three Representatives to be appointed by the President of the Senate and Speaker of the House, respectively, shall be named to prepare and file with the Secretary of State, such affirmative argument.

Section 22. For the purpose of raising funds to liquidate the State of Oklahoma World War Soldier's Compensation Bonds and interest herein provided for, there is hereby levied the following annual tax for a period of twenty (20) consecutive years as follows:

1. A one (1) mill annual tax on all property, of the State now subject to ad valorem tax, this tax being in addition to all other ad valorem taxes. Provided, that the Legislature of the State may, from time to time, authorize the levy of such additional ad valorem tax as well mature and retire all bonds together with interest thereon, which may be issued under authority of this Amendment, and which is necessary in addition to other taxes provided herein.

2. An annual tax upon all income taxable as hereinafter provided for, in excess of the exemptions hereinafter allowed, to be paid upon the following rates:

- On the first Ten Thousand ($10,000.00) Dollars of such excess, or any part thereof, at the rate of five (5) mills on the dollar.
- On the next Fifty Thousand ($50,000.00) Dollars of such excess, or any part thereof, at the rate of ten (10) mills on the dollar.
- On the next Twenty-five Thousand ($25,000.00) Dollars of such excess, or any part thereof, at the rate of fifteen (15) mills on the dollar.
- On the next Fifty Thousand ($50,000.00) Dollars of such excess, or any part thereof, at the rate of twenty (20) mills on the dollar.
- On all such excess in addition to the aforesaid amounts twenty-five (25) mills on the dollar.

The tax provided in sub-division (1) of this Section is in addition to all other taxes as provided by law; and in addition to the tax provided for in sub-division (a) of this Section.

The said tax provided for in sub-division (b) hereof, to be computed by adding together the amounts payable under each of said classes.
a) Each and every person in this State shall be liable to an annual tax upon the entire net income of such person arising or accruing from all sources during the preceding calendar year, and a like tax shall be levied, assessed, collected and paid annually upon the entire net income from all property owned and all other business, trade or profession, carried on in this State by persons residing elsewhere.

Provided, that any husband and wife having separate income liable to taxation, by reason of this Section, may make separate return thereof.

b) On or before the fifteenth day of March of each year, each person liable for income tax, under the provisions of this Act, shall file with the State Auditor a sworn return of his net income for the year ending December 31st, last preceding the taking effect of this Act, upon the blank to be furnished by said State Auditor and furnished to the tax payers.

c) If any person liable, under the terms of this Act, fails to render such statement of income within the time required, or renders any return which is false or fraudulent in that it contains statements which differ from the actual income of said person for the calendar year for which said report is made, the State Auditor may give such person ten days' notice in writing to appear before him in his office, in the State Capitol, with books of accounting containing entries relating to his business for such calendar year, and may require such person to give testimony or answer interrogatories under oath, which may be administered by the State Auditor, respecting any income liable to such tax or the return thereof. If such person fails to make such return or to permit an examination of his books or answer such questions relating to said income as may be proper, and within the scope of such investigation of such income, the State Auditor may apply to the District Court of Oklahoma County, or any judge thereof, for an order requiring such person to give such return, or to permit such examination. Such bond or judge shall thereupon, issue its order upon reasonable notice as shall be prescribed therein, to be served upon said person and directing him to appear and testify and to produce such books, papers and records as may be required. Any party failing to comply with such an order shall be guilty of contempt and shall be punishable as provided by law in cases of contempt. Provided that the district court of Oklahoma County shall have jurisdiction of contempt cases arising under this Section, if upon such hearing before the State Auditor or any such court, it be found that such person has been guilty of violation of the provisions hereof, by refusing to make a report as provided for therein, there shall be added to the tax of such person for the calendar year for which such report is made, a penalty of five (5.00) Dollars per day for each and every day that such person has refused to make such report, after the date of March 15th of each calendar year. The same being the date provided in this Act for the filing of such reports, provided, that upon application, for good cause shown, the State Auditor may
extend the time for making such report, not exceeding ninety days.

(g) The State Auditor is hereby empowered to prescribe and promulgate such rules and regu-
lation as may be necessary to carry out the provisions of this Amendment, and shall prepare
and furnish for the use of persons liable for the income tax hereunder, all necessary blank
affidavits and other forms for making the income-tax returns.

(g) The term "income" as used herein shall include: 1. All rents, derived
from real estate or any interest therein. 2. All interest derived from money-
loaned or invested in notes, mortgages, bonds, or other evidence of debt of any
kind whatsoever. 3. All wages, salaries or fees derived from service. 4. All divi-
dends or profits derived from stocks or from the purchase and sale of any prop-
erty, or other valuable acquired within one year previous, or from any business
whenever. 5. All royalties derived from the possession or use of franchise or
legalized privileges of any kind. 6. All other incomes of any kind, de-
duced from any source whatsoever, except alone such as exempt from taxa-
tion herein, and by some law of the United States of America, except
also from income the proceeds of life insurance policies paid upon the death of
the insured, and the amount received by the insured as a return of premium
or premiums paid by him under life insurance endowment or annuity contracts
either during the term or at the maturity of the term mentioned in the contract
or upon surrender of the contract.

(h) In computing the net income taxable under the provisions of
this Amendment, there shall be allowed as deductions from the net income of
any person:

(1) The necessary expenses actually paid in carrying on any business,
not including personal living or family expenses.

(2) All interest paid within the year by a taxable person on indebted-
ness.

(3) All State, county, school, municipal, federal and state income taxes
paid within the year, not including those assessed against local taxing

(4) Losses actually sustained during the year, incurred in trade or
arising from fire or storms, and not compensated for by insurance or otherwise

(5) Debts due to the taxpayer actually asserted to be worthless and
charged off within the year.

(6) A reasonable allowance for the exhaustion, wear and tear of
physical property arising out of the use or employment in any business, and in
addition thereto, a reasonable allowance in the case of mines, oil, gas and oth-
minerall mining properties to cover depletion therein, which depletion shall be
computed under the rules and regulations in force and from time to time.
adopted by the Department of Internal Revenue of the government of the United States; provided, that in no case shall a greater depletion account be allowed the taxpayer by the State of Oklahoma than is allowed by the United States Government against Federal income taxes upon the identical property against which the depletion account is claimed by the taxpayer; provided, further, that no deduction shall be made for any expense of restoring physical property or making good the exhaustion thereof, for which an allowance is or has been made; provided, further, that no deduction shall be allowed for any amount expended for new buildings, permanent improvements or betterments made to increase the value of any property or estate.

4. All charitable donations, not to exceed fifteen (15) per centum of taxable net income.

5. In the case of life insurance companies such portion of any actual premium received from any individual policy holder as is paid back or credited to or treated as an abatement or premium of such policy holder within the taxable year, also the net addition required by law to be made within the taxable year to reserve funds (including, in the case of assessment insurance companies, the actual deposit of sums with state or territorial officers pursuant to law as additions to guarantee or reserve funds), and the sums other than dividends paid within the taxable year on policy and annuity contracts.

6. The Auditor shall be authorized to allow every person as net income, not taxable, the following deductions:

1. To an individual, nothing beyond the said sum of One Thousand ($1,000.00) Dollars.

2. To an individual, living with his or her spouse, an additional One Thousand ($1,000.00) Dollars, provided, that in the event husband and wife make separate returns, they shall be permitted jointly, to claim the total deductions of Two Thousand ($2,000.00) Dollars, upon such basis of division as they may desire.

3. For each child under the age of eighteen (18) years the sum of Three Hundred ($300.00) Dollars, additional.
(y) The State Auditor is authorized to revise any returns that may be made to him, and he shall notify the party making such return of such revision on or before the first Monday in May following, and the Auditor shall hear and determine all complaints arising from such revisions which are made before the first Monday in June following thereafter, and he shall have the power to correct and adjust such assessment for income tax as herein provided; provided, that any taxpayer feeling aggrieved by any decision, or ruling of the State Auditor in finally determining the amount of income tax due from said taxpayer, shall have the right of appeal from such ruling or decision to the District Court of Oklahoma County, Oklahoma; and from the final decision of that court to the Supreme Court of Oklahoma, by giving to the State Auditor, within ten days after his decision, a written notice of said intention to appeal to the District Court of Oklahoma County, Oklahoma, upon the giving of which notice, the State Auditor shall certify to the District Court of Oklahoma County, Oklahoma, all papers and records in said controversy together with his final decision thereon, and,
Provided further, that in the trial of such issue in the District Court of Oklahoma County, Oklahoma, such taxpayer shall be permitted to offer such testimony as he, or she, may deem necessary for the protection of such taxpayer's interest, and all testimony as offered by the taxpayer, as well as by the State Auditor, together with the objections thereto shall constitute the record in the Supreme Court for its final decision, and,
Provided further, that pending such appeal the taxpayer shall give a bond to the "Soldiers' State Compensation Fund" to be approved by a judge of the District Court of Oklahoma County, Oklahoma, in double the amount of the assessment determined by the State Auditor, conditioned that such taxpayer will pay into the "Soldiers' State Compensation Fund", such sum as may by the Supreme Court be finally adjudged to be due.
(k) The State Auditor shall complete the assessments of income for each person, and compute the tax thereon on or before the first Monday in June of each year, and such tax shall become due and payable upon the fifteenth day of June, and shall become delinquent if not paid on or before the first day of July, next following, whenever any such tax becomes delinquent, the State Auditor shall have power, and it shall be his duty, without the order of any sheriff of this State, a warrant, such as is provided in section 1321, Revised Laws of Oklahoma, 1917, except that it shall command him to pay the amount collected to the State Auditor. Such proceedings shall be had thereon, as upon a tax warrant issued by a county treasurer for delinquent taxes.
(b) If any of these taxes herein provided for become delinquent, they shall become a lien on all property, personal and real, of such delinquent person, and shall
be subject to the same penalties and provisions as are all ad valorem taxes.

It shall be the duty of the State Auditor to keep a record of all such reports made and income taxes paid under the provisions of this Act, which record shall at all times be open to the inspection of any official entitled to the same, either State or Federal.
(r) The word "person" and "taxpayer" as used in this
act shall include and is hereby construed to include all in-
dividuals and persons residing in this State, and all firms, as-
cociations and corporations, domestic and foreign, licensed or
chartered, doing business in this State, and all other business,
trade or profession carried on in this State by persons residing
elsewhere. Individuals, members and stockholders of any
such firm, association or corporation shall be exempt from
payment of such tax on the dividend and profits from any
such firm, association or corporation, but shall report to his
or her income tax report the amount received as dividends and
profits, the name of the firm, association or corporation paying
same, date received and address of such company. The salary
of any member of any such firm, association or corporation is
not exempt from such tax. Provided, that the income derived
from notes and mortgages of building and loan associations
chartered, organized and doing business in this State, under
the laws of this State, and which are given by the members of
such association upon real estate located in the State, and
which real estate is subject to taxation under the laws of the
State, and the shares issued by a building and loan association
loaning its funds to members within the State, shall be exempt
to the association from taxation under the provision of this
Amendment.

Section 35. When a sufficient amount of revenue has
been collected under the provisions of this Amendment, to pay
off the State of Oklahoma World War Soldiers' Compensation
Bonds issued and sold under provisions of this Amendment,
and interest, the revenue raising provisions of this Amendment
shall cease to be operative.
Section 34. This Amendment shall be in full force and effect from and after its passage; provided, the same shall be ratified by the majority vote of the people of the State of Oklahoma voting.

Passed by the House of Representatives this the 30th day of March, 1923.

Speaker _____ of the House of Representatives.

Passed by the Senate this the 29th day of March, 1923.

Avery M. Logan
Acting President _____ of the Senate.

Approved this the 10th day of April, 1923.

Governor of the State of Oklahoma.
THE ATTORNEY GENERAL
OF THE
STATE OF OKLAHOMA

J.K. Alm

OKLAHOMA CITY
AUGUST 31, 1923

Hon. W.C. McAlester,
Secretary, State Election Board,
BUILDING,

Dear Sir:

Receipt is acknowledged of your letter of August 28 requesting that this office furnish you with ballot titles for the measures referred to and set out in the proclamation calling the election, for the submission of these various amendments.

I submit herewith the following titles for each act in the order given in your letter and for your convenience I am setting each title out on a separate sheet.

You further request the advice of this office as to whether or not there is any rule governing the order in which these measures shall be placed on the ballot.

There is no provision of law stating how these measures shall appear or in what order they shall appear upon the ballots. It is therefore the opinion of the attorney general that such arrangement is discretionary with the State Election Board.

Very respectfully yours,

FOR THE ATTORNEY GENERAL.

JOHN BARNETT
Assistant Attorney General.
The gist of the proposed amendment is:

"A Constitutional amendment designated as Article 26, providing for industrial rehabilitation, equalized compensation, farm or home aid to soldiers who served honorably from Oklahoma in the World War, prescribing qualifications of beneficiaries, fixing amount of such loan or compensation at fifty five million dollars, apportioning same, creating and defining the powers and duties of a "Soldiers' State Aid Commission", authorizing the issuance and prescribing the character and amount of bonds issued, creating a special fund, providing for the issuance, sale and the payment of principal and interest of said bonds, by tax levy."
August 24, 1923.

Hon. George F. Short,
attorney General,
BUILDING.

Dear Sirs:

Attached, hereto, is a Proclamation, issued by the Governor, calling a Special Election on five state questions, election to be held October 2nd.

I request that you furnish ballot titles for these measures. Is there any provision of law which outlines the order in which these measures should be placed on the ballot? If so, please advise.

Yours very truly,

[Signature] Secretary.
A PROCLAMATION.

WHEREAS, the Legislature of the State of Oklahoma, in the Ninth regular session thereof, proposed, by House Concurrent Resolution, Senate Joint Resolution, House Joint Resolution, and by Act of the Legislature, certain proposed amendments to the Constitution of the State of Oklahoma which said amendments were directed to be submitted to the qualified electors of the State of Oklahoma, as follows, to-wit:

FIRST, the proposed amendment directed to be submitted by Senate Joint Resolution No. 4, entitled, "A RESOLUTION, providing for the submission of a proposed Amendment to the Constitution, authorizing the enactment of appropriate legislation providing for the compulsory compensation of employees, and their dependents, in case of death, or permanent, or partial disability," same being an amendment to Section 7, Article 23, of the Constitution of the State of Oklahoma, and repealing existing Section 7 of said Article 23; said joint resolution being Chapter 249 of the Session Laws of Oklahoma, 1923.

SECOND, a proposed amendment to and in lieu of Section 3, Article 6, of the Constitution of the State of Oklahoma entitled, "A RESOLUTION authorizing the submission of a proposed amendment to the Constitution to the people for their approval or rejection, said proposed amendment being an amendment to Section 3, Article 6, of the Constitution of the State of Oklahoma," same being Chapter 250, Session Laws of Oklahoma, 1923, said amendment eliminating the word "Male" from the qualification of persons eligible to election or appointment to all executive State offices.
THIRD, a proposed amendment to the Constitution of the State of Oklahoma relating to "soldier bonus", being "A proposed Constitution Amendment, entitled: A Constitutional Amendment to the Constitution of the State of Oklahoma, by adding to said Constitution, an Article to be known and designated as Article 26, said Article Authorizes and Provides for the Industrial Rehabilitation and Equalized Compensation or Farm or Home Aid to all Soldiers and Certain Dependents of Deceased Soldiers who Served Honorably, from the State of Oklahoma, in the War between the United States and the German Empire and Its Allies, Prescribing Qualifications of Those Who shall Receive such Loan or Cash Compensation, Fixing the Amount of such Loan or Compensation and Creating a Commission to be known as the "Soldiers' State Aid Commission", and Defining the Powers and Duties of said Commission, Authorizing the Issuance and Prescribing the Character and Amount of Bonds to be Issued, and Creating a Special Fund from the Proceeds thereof, to Carry out the Purpose of this Act, and Providing how said Bonds shall be Issued and Sold, and Providing Ways and Means by which the Interest on said Bonds shall be Paid when Due, and the Bonds Themselves Paid at Maturity, "same being Chapter 267, Session Laws of Oklahoma, 1923; said proposed amendment providing in substance that each person who enlisted or was inducted and served honorably from the State of Oklahoma, in the military or naval forces of the United States, including nurses, between the 6th day of April, 1917 and the 11th day of November, 1919, excluding welfare workers of the Red Cross, Young Mens Christian Association, Young Women's Christian Association,
Jewish Welfare, Knights of Columbus, Welfare Board, War Camp
or Community Service, the Salvation Army, and like organizations;
also excluding dishonorably discharged service men and those who
sought to avoid service because of conscientious objections
thereto and those guilty of fraud or willful violation or evasion
of the Selective Service Act, or of the rules and regulations
of the War Department, and those who did civilian work at civilian
pay and excluding time of taking training in student army training
corps, and those receiving compensation of a like nature from
other states.

AND, providing that in case of death of any beneficiary above
named the benefits of this amendment to go to the dependents of
the beneficiary in the following order: First, Wife; second,
Child or Children; third, Mother; fourth, Father; creating a
commission to carry out and enforce the amendment, consisting of
the Governor, Secretary of State, State Treasurer, the Attorney
General, and the Adjutant General of the State of Oklahoma;
providing a secretary and assistant secretary at salaries not to
exceed $3600.00 and $2400.00 per annum respectively.
Said amendment provides for the issuing of vouchers by said commission to be approved by the State Auditor and warrant issued against the State Treasury to be paid out of said Soldiers' Bonus Fund; providing aid in the matter of acquiring a home not exceeding a maximum sum of $2000.00, and providing the option of cash compensation. Said amendment further provides for the issuing of bonds of the State of Oklahoma in the sums of $25,000,000.00 and $30,000,000.00 conditioned as follows:

The $25,000,000.00 issue to provide the compensation authorized by this amendment, said bonds to bear five per cent interest, and not to exceed twenty years maturity, providing for the loan of said funds upon bond of the United States or of the State of Oklahoma, or on other security; the said $30,000,000.00 bond issue provided in said amendment to be used for the purpose of creating a loan fund for the benefit of the beneficiaries of said amendment, said bonds to bear five per cent annual interest to mature within twenty-five years from date of issuance said bonds to be secured by the assets of the loans made to soldiers and the credit and resources of the State of Oklahoma, and pledged to the punctual payment of the principal and interest of the said bonds.

Said amendment further provides an annual tax, for the ensuing twenty years, of one mill upon all property of the State, subject to ad valorem tax; and additional income tax on a graduated scale of from five to twenty-five mills on the dollar of net income, in excess of certain exemptions named in said proposed amendment.

FOURTH; a resolution authorizing the submission of a proposed amendment to the Constitution to the people for their approval or rejection, for the purpose of amending Section 9 of Article 10, providing a special State levy for public schools, being Chapter 288 of the Session Laws of Oklahoma, 1923, said proposed amendment providing the total ad valorem taxes for state, county, township, city, town and school district shall not exceed 31½ mills on the dollar in any year, provided same be apportioned as follows:
State, not more than 3½ mills;
County, not more than 8 mills, and 2 mills additional for aid to common schools;
Township levy, not more than 5 mills;
City or town, not more than 10 mills;
School district, not more than 5 mills, and providing the annual rate for school purposes may be increased in any school district not exceeding 10 mills by a majority vote of the qualified electors voting therefor. Providing for the increase of State levy sufficient to provide $15.00 per school child in average daily attendance for the support and maintenance of the schools of the State, the same may be in excess of the State levy of 3½ mills for school purposes only.

FIFTH, a proposed amendment to the Constitution entitled "An Act proposing an amendment to the Constitution of the State of Oklahoma by adding to Article 14 another Section to be known as Section 4." Said Section providing, in substance that the Legislature shall provide for the payment of all lawful claims and demands against the Depositors' Guaranty Fund, growing out of insolvent banks, failed prior to the adjournment of the Ninth Legislature, the same to be paid out of moneys in the State Treasury from fines, penalties, forfeitures, licenses and privileges, and not by a direct ad valorem tax, or tax as a substitute for ad valorem tax, payments thereof to be made in five equal annual installments under regulations prescribed by the Legislature.

NOW, THEREFORE, in order to carry out the intent and purposes of the Legislature in the matter of submitting said proposed amendments to the Constitution, above set out, I, J.C. Walton, Governor of the State of Oklahoma, by virtue of the authority in me vested, do hereby proclaim and call a special election to be held under the direction of the State Election Board of the State of Oklahoma, in each and every voting precinct in said State, wherein and whereat, by proper ballot title each of the above propositions and questions shall be submitted to the qualified electors of the State of Oklahoma for their approval or rejection; said election to be held on Tuesday, (day of the week)
the Second day of October, in the year of our Lord One Thousand Nine Hundred and Twenty-three.

In witness whereof I have hereunto set my hand as Governor of the State of Oklahoma, and have caused to be affixed hereunto, the Great Seal of the State of Oklahoma, at the Capitol of the State of Oklahoma, this the 13th day of August, in the year of our Lord, One Thousand Nine Hundred and Twenty-three, and of the Independence of the United States of America, the One Hundred and Forty-Eighth.

Attest:

J. C. WALTON
Governor of the State of Oklahoma.

R. A. SHEED
Secretary of State.

(GREAT SEAL)