

Oklahoma City, Oklahoma,  
April 17, 1925.

Secretary of State  
Oklahoma City, Oklahoma.

Dear Sir:-

I hand you herewith copy of Referendum Petition  
No. 49, State Question No. 137, same being Referendum on  
Senate Bill No. 54, together with proposed ballot title therefor.

John A. Simpson

Z H Lawter,

By Campbell Russell

April 17, 1925.

Received of Mr. Campbell Russell, Referendum  
Petition No. 49, State Question No. 137, for John A.  
Simpson, and E. H. Lawter. Received at 4:16 P. M.  
April 17th, A. D. 1925.

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Asst. Secretary of State.

# WARNING!

“IT IS A FELONY FOR ANY ONE TO SIGN AN INITIATIVE OR REFERENDUM PETITION WITH ANY NAME OTHER THAN HIS OWN, OR KNOWINGLY TO SIGN HIS NAME MORE THAN ONCE FOR THE MEASURE, OR TO SIGN SUCH PETITION WHEN HE IS NOT A LEGAL VOTER.”

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(Twenty Names only Allowed on a Petition of This Nature.)

## REFERENDUM PETITION

To the HONORABLE M. E. TRAPP, Governor of Oklahoma:

We, the undersigned citizens and legal voters of the State of Oklahoma, respectfully order that the Senate Bill No. 54, entitled, “AN ACT RELATING TO TEXT-BOOKS FOR THE USE IN PUBLIC SCHOOLS OF OKLAHOMA, PROVIDING FOR THE REPEAL OF CHAPTER 175, SESSION LAWS OF OKLAHOMA, 1923, THE SAME BEING THE STATE TEXT-BOOK ACT, AND RE-ENACTING SECTIONS 10250, 10254, 10261 and 10264, OF CHAPTER 86, ARTICLE II., COMPILED OKLAHOMA STATUTES, 1921, passed by the Tenth Legislature of the State of Oklahoma, at the regular session of said legislature, shall be referred to the people of the state, for their approval or rejection, at the next election held throughout the State, and each for himself says: I have personally signed this petition, and I am a legal voter of the State of Oklahoma; my residence and postoffice address are correctly written after my name.

The question we herewith submit to our fellow voters is: Shall the following bill of the Legislature be vetoed?

## ENROLLED

Senate Bill No. 54.

By BROWN AND REXROAT, of the Senate and  
NOBLE, of the House.

AN ACT RELATING TO TEXT-BOOKS FOR THE USE IN PUBLIC SCHOOLS OF OKLAHOMA PROVIDING FOR THE REPEAL OF CHAPTER 175, SESSION LAWS OF OKLAHOMA, 1923, THE SAME BEING THE STATE TEXT-BOOK ACT, AND RE-ENACTING SECTIONS 10250, 10254, 10261 AND 10264, OF CHAPTER 86, ARTICLE II, COMPILED OKLAHOMA STATUTES, 1921.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. That Chapter 175, of the Session Laws of Oklahoma, 1923, including Sections numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 is hereby repealed.

SECTION 2. That Section 10250, of Chapter 86, Article II, Compiled Oklahoma Statutes, 1921, is hereby revived and re-enacted to read as follows:

"Section 10250. All books adopted by the Commission shall be printed in English, except such text-books as may be adopted for the teaching of any foreign language; provided, nothing in this Act shall prevent pupils from buying books, not included in the State Text-book list, for elective courses. The Commission shall stipulate in the contract that where a change shall have been made from the books now in use in this State, the contractor or contractors shall take in exchange the respective books and receive the same in exchange for new books. Such exchange period shall not continue longer than one (1) year from the date of contract."

SECTION 3. That Section 10254, of Chapter 86, Article II, Compiled Oklahoma Statutes, 1921, is hereby revived and re-enacted to read as follows:

"Section 10254. The Commission shall not, in any case, contract with any publisher of any book or books, registers and records, or any person, firm or corporation submitting bids for furnishing charts, maps, globes or other apparatus to be used in the common schools in this State, at a price in excess of the lowest price at which such publisher or bidders furnishes and distributes the same book or books, registers, records or school apparatus under contract with any other state, county or school district in the United States; provided, that the books now adopted shall continue to be adopted texts for the next five years and that the books now furnished by the State shall become the property of the school district now having possession of said books."

SECTION 4. That Section 10261, of Chapter 86, Article II, Compiled Oklahoma Statutes, 1921, is hereby revived and re-enacted to read as follows:

"Section 10261. The party or parties with whom the contract shall be made shall place their books, registers, records and school apparatus on sale at as many places in each county of the State as the Commission may direct for the distribution of the books to the patrons, and the contractor shall be permitted to make arrangements with merchants or other persons for the handling and distribution of the books. All books shall be sold to the consumer at the retail price fixed by the Commission. Upon the failure of any contractor, under the provisions of this Article, to furnish the books, registers, records or apparatus as provided in this contract, the county superintendent of public instruction of such county shall immediately report the fact to the Attorney General, and he shall bring suit on account of such failure, in the name of the State of Oklahoma, in any court of competent jurisdiction in the state, and shall recover on the bond given by such contractor for the full value of the books, registers, records and apparatus not furnished, as required, and in addition thereto the sum of Five Hundred (\$500.00) Dollars, and the amounts so recovered shall be placed as follows: Fifty (50%) per cent to the credit of the school fund of the County so aggrieved, and Fifty (50%) per cent to the credit of the available school fund of the State."

SECTION 5. That Section 10264, of Chapter 86, Article II, Compiled Oklahoma Statutes, 1921, is hereby revived and re-enacted to read as follows:

"Section 10264. The trustees and school boards of the various schools of the State using books, registers, records and apparatus adopted by the commission shall hold annual meetings and make an estimate of the number of school text-books, registers, records and apparatus needed in said school for the term next commencing therein, and a report thereof shall be made to the county superintendent of public instruction in said county immediately, and not later than the first day of August next thereafter; and the county superintendent shall, as soon as possible, and not later than the tenth day of August of each year, and oftener, if the necessity of a school requires it, make out his requisition from the report so received, and from any other source, and send it to the State Superintendent, when such books are printed by the State or the school book publisher or publishers having contracts under the provisions of this article, stating therein the number of books, registers, records and apparatus of each kind needed for the schools of his county."

Passed by the Senate this the 25th day of March, 1925.

EARL A. BROWN,  
Acting President of the Senate.

Passed by the House of Representatives this the 19th day of March, 1925.

J. B. HARPER,  
Speaker of the House of Representatives

Approved by the Governor this the 31st day of March, 1925.

M. E. TRAPP, Governor.

Correctly Enrolled:

DAVE BOYER,

Chairman Committee on Engrossing and Enrolling.

April 17, 1925.

Hon. Geo. Short,  
Attorney General,  
B U I L D I N G.

Dear Sir:-

I am submitting herein State Question  
No. 137, Referendum Petition No. 49, with the  
proposed ballot title therefor for your approval.

Yours truly,

UNA LEE ROBERTS  
ASST. SECRETARY OF STATE



THE OFFICE OF  
THE ATTORNEY GENERAL  
OF THE  
STATE OF OKLAHOMA  
OKLAHOMA CITY

GEORGE F. SHORT

April 18, 1925.

JBK-MK

Honorable R. A. Sneed,  
Secretary of State,  
Capitol Building.

Dear Sir:

The Attorney General acknowledges receipt of copy of petition on State Question No. 137, Referendum Petition No. 49, accompanied by a Ballot Title as follows:

" The proposition is to veto Senate Bill No. 54, Passed by the Tenth Legislature. Vetoing this bill will leave the Free Text Book Law in full force and effect, exactly as passed by the ninth Legislature."

You are respectfully advised that the Ballot Title has been examined and is found to be in legal form and in harmony with the law, by the Attorney General.

The notification is returned to you within three days of the submission of the proposed petition and title ballot.

Yours truly,

FOR THE ATTORNEY GENERAL

*J. B. Short*  
Assistant Attorney General

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RECORDED IN CONFERENCE 4/18/25

Sept. 20, 1926.

To His Excellency,  
Hon. M. E. Trapp,  
Governor of the State of Oklahoma,  
Building.

I, R. A. Sneed, Secretary of State of the State of Oklahoma, do hereby certify that on the 31st day of March, 1925, Senate Bill No. 54, was duly approved by the Governor, and filed in this office on March 31st, 1925. This Referendum has been given a number in this office, Referendum Petition No. 49, State Question No. 137, filed in this office on April 17th, 1925.

I further certify that a true and correct copy of ballot title of Referendum Petition No. 49, State Question No. 137, as executed and approved by the Attorney General, is duly filed in the office of the Secretary of State, a copy of which is attached hereto.

I further certify that there is also attached hereto, a true and correct copy of Senate Bill No. 54, passed by the Legislature in 1925, duly approved by the Governor, under date of March 31st, 1925, and filed in this office on March 31st, 1925, as aforesaid.

I also further certify that there is attached hereto a copy of the petition as circulated.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be hereto attached, this the 20th day of September, 1926.

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May 24, 1926.

TO THE HONORABLE STATE ELECTION BOARD,  
OF THE STATE OF OKLAHOMA.

I, R. A. Sneed, the undersigned Secretary of State of the State of Oklahoma, do hereby certify that, on the seventeenth day of April, 1925, there was filed in the office of the Secretary of State, of the State of Oklahoma, Referendum Petition No. 49, State Question No. 137.

I further certify that after said Referendum Petition No. 49, State Question No. 137 was filed, I caused due and legal notice of the filing thereof to be published as required by law, and thereafter, in pursuance of said notice and pursuant to a full hearing thereon, I found that said Referendum Petition No. 49, State Question No. 137 was in all things sufficient and in compliance with the Constitution and laws of the State of Oklahoma, relating to such proceedings.

I further certify that I found approximately 29,479 legal signers on said petition, and that the same constituted more than five (5) per cent of the legal voters, voting at the last general election held in the state of Oklahoma, and that the same was therefore, sufficient.

I further certify that a true and correct copy of ballot title of Referendum No. 49, State Question No. 137 as duly filed in the office of the Secretary of State and approved by the Attorney General, is attached hereto.

In witness whereof, I have hereunto set my hand and caused the great seal of the state of Oklahoma, to be hereto attached, this the 24th day of May, 1926.

Secretary of State

Rice State Elec. Bd.

5-24-26

Asst. Secretary of State.

STATE OF OKLAHOMA

EXECUTIVE DEPARTMENT

PROCLAMATION

WHEREAS, on September 20, 1926, the Honorable R. A. Sneed, Secretary of State of the State of Oklahoma, notified, me the undersigned Acting Governor of the State of Oklahoma, in writing that he, as Secretary of State, had accepted Senate Bill No. 54 and given same the title of Referendum Petition No. 49, State Question No. 137, and that the title of said Referendum Petition No. 49, State Question No. 137, had been decided upon as required by law; and

WHEREAS, it is now my duty as Acting Governor of the State of Oklahoma to issue a Proclamation setting forth the substance of said measure, and the date of the referendum vote thereon.

NOW, THEREFORE, I, W. J. Holloway, Acting Governor of the State of Oklahoma, by virtue of the power and authority vested in me by law, as such Acting Governor, do hereby proclaim that the substance of said referendum Petition No. 49, State Question No. 137, is as follows:

"SECTION 1. That Chapter 175, of the Session Laws of Oklahoma, 1923, including Sections numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 is hereby repealed.

"SECTION 2. That Section 10250, of Chapter 86, Article 11, Compiled Oklahoma Statutes, 1921, is hereby revived and re-enacted to read as follows:

"Section 10250. All books adopted by the Commission shall be printed in English, except such text-books as may be adopted for the teaching of any foreign language; provided, nothing in this act shall prevent pupils from buying books, not included in the State Text-book list, for elective courses. The Commission shall stipulate in the contract that where a change shall have been made from the books now in use in this State, the contractor or contractors shall take in exchange the respective books and receive the same in exchange for new books. Such exchange period shall not continue longer than one (1) year from the date of contract."

"SECTION 3. That section 10254, of Chapter 86, Article 11, Compiled Oklahoma Statutes, 1921, is hereby revived and re-enacted to read as follows:

"Section 10254. The Commission shall not, in any case, contract with any publisher of any book or books, registers and records, or any person, firm or corporation submitting bids for furnishing charts, maps, globes or other apparatus to be used in the common schools in this State, at a price in excess of the lowest price at which such publisher or bidders furnishes and distributes the same book or books, registers, records or school apparatus under contract with any other state, county or school district in the United States; provided, that the books now adopted shall continue to be adopted texts for the next five years and that the books now furnished by the state shall become the property of the school district now having possession of said books."

"SECTION 4. That Section 10261, of Chapter 86, Article 11, Compiled Oklahoma Statutes, 1921, is hereby revived and re-enacted to read as follows:

"Section 10261. The party or parties with whom the contract shall be made shall place their books, registers, records and school apparatus on sale at as many places in each county of the State as the Commission may direct for the distribution of the books to the patrons, and the contractor shall be permitted to make arrangements with merchants or other persons for the handling and distribution of the books. All books shall be sold to the consumer at the retail price fixed by the Commission. Upon the failure of any contractor, under the provisions of this Article, to furnish the books, registers, records or apparatus as provided in this contract, the county superintendent of public instruction of such county shall immediately report the fact to the Attorney General, and he shall bring suit on account of such failure, in the name of the State of Oklahoma, in any court of competent jurisdiction in the State, and shall recover on the bond given by such contractor for the full value of the books, registers, records and apparatus not furnished, as required, and in addition thereto the sum of Five Hundred (\$500.00) Dollars, and the amounts so recovered shall be placed as follows: Fifty (50%) per cent to the credit of the school fund of the County so aggrieved, and Fifty (50%) per cent to the credit of the available school fund of the State."

"SECTION 5. That Section 10264, of Chapter 86, Article 11, Compiled Oklahoma Statutes, 1921, is hereby revived and re-enacted to read as follows:

"Section 10264. The trustees and school boards of the various schools of the State using books, registers, records and apparatus adopted by the commission shall hold annual meetings and make an estimate of the number of school text-books, registers, records and apparatus needed in said school for the term next commencing the rain, and a report thereof shall be made to the county superintendent of public instruction in said county immediately, and not later than the first day of August next thereafter; and the county superintendent shall, as soon as possible, and not later than the tenth day of August of each year, and not later than the necessity of a school requires it, make out his requisition from the report so received, and from any other source, and send it to the State Superintendent, when such books are printed by the State or the school book publisher or publishers having contracts under the provisions of this article, stating therein the number of books, registers, records and apparatus of each kind needed for the schools of his county."

and November 2nd, being the day set by law for the next regular general election to be held in and throughout the State of Oklahoma, is hereby designated and set as the date upon which the above measure shall be submitted to the qualified electors of the State of Oklahoma for their approval or rejection, and the regular election officials whose duty it is to hold and conduct said elections are hereby authorized and instructed to hold and conduct said election on Referendum Petition No. 49, State Question No. 137, on said date.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Oklahoma, this 22nd day of September, A. D., 1926.

*W. J. Hallaway*  
 Acting Governor of the State of Oklahoma.

ATTEST:

*R. J. Reed*  
 Secretary of State.

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