(State Question—Initiative Petition No._____)

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 any measure, or to sign such petition when he is not a legal voter."

(State Question—Initiative Petition No.----------)

To the Honorable Charles N. Haskell, Governor of Oklahoma:

We, the undersigned citizens and legal voters of the State of Oklahoma, County of----------, respectfully order that the following proposed amendment to the Constitution of this State shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection, at the regular election to be held on the first Tuesday succeeding the first Monday in November, A. D., 1910, being the eighth day of said month, or at the next election held throughout the State, or at any special election which the Governor of the State may call for such purpose at which the same may be submitted, and each for himself says:

I have personally signed this petition; I am a legal voter of the State of Oklahoma, and of the County of----------; my residence and postoffice are correctly written after my name. The time for filing this petition expires nine months from the twenty-fourth day of August, A. D., 1909. The question we herewith submit to our fellow voters, is; shall the proposed amendment to Article Nine of the Constitution be adopted, to-wit:

A BILL ENTITLED

AN ACT

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF OKLAHOMA, BY ADDING TO ARTICLE NINE THEREOF THE FOLLOWING PROVISION WHICH SHALL BE KNOWN AS SECTION FORTY-NINE, OF SAID ARTICLE NINE.

Be It Enacted By the People of the State of Oklahoma:

That the Constitution of the State of Oklahoma be, and the same is hereby, amended by adding to Article Nine thereof, to be, and become, Section Forty-nine of said Article, the following:

"Sec. 49. "Any railroad, transportation or transmission company, organized under the laws of any other State, or of the United States, or any Territory thereof, and owning or operating any line or lines in this State, or which may wish to construct or extend its line or lines in or into or through this State, shall have the right and power upon filing a copy of its Articles of Incorporation with the Secretary of State of this State, and appointing and maintaining a resident Agent upon whom process may be served, to extend or construct its line or lines in or into or through this State, and build branches, and make additions or improvements and exercise the power and right of eminent domain to accomplish the corporate purpose of any such corporation,

and any such foreign and any domestic railroad, transportation, or transmission company may lease, purchase or otherwise acquire and operate the line or lines of any railroad, transportation or transmission company in this State, and any such foreign or domestic railroad, transportation or transmission company is hereby authorized and empowered to make such lease, sale or other disposition of its property, or any part thereof, provided only that the line or lines of such railroad, transportation or transmission company, so leased, purchased or acquired, shall in some way connect at any point or form a part of the line or lines constructed or projected, or system or business of such foreign or domestic railroad, transportation or transmission company, thereby forming connected or branch lines to the line, or lines of such foreign or domestic railroad, transportation or transmission Companies constructed or projected, thus facilitating the transportation of persons or property or transmission of intelligence and forming through or extended lines of transportation or transmission and communication from and to various points in the State. Such foreign corporation shall not be required to maintain a general office or to hold corporate meetings in the State; or keep its books or records in this State except as may be necessary in the transaction of its business within the State, but this provision shall not be construed as limiting the power of the State to require by law the filing of such reports and the furnishing of such information as may be necessary to properly regulate its business in the State, and shall not relieve such foreign or domestic corporation from all proper supervision and control of the Corporation Commission under the Constitution and laws of this State."

Guthrie, Oklahoma, December eleventh, 09.

Received from H.G. Spaulding, one of the petitioners, initiative petitions proposing an act entitled "An Act proposing an amendment to the Constitution of the State of Oklahoma, by adding to Article Nine thereof the following provision, which shall be known as Section Forty-nine of said Article Nine"; said petitions are presented in pamphlets as provided by law, and the same were offered for filing and filed in the office of the Secretary of the State of Oklahoma in the presence of the Governor, and in the presence of the said H.G. Spaulding, the petition/ offering the same, and in the presence of the Governor, and said petitioner, the sheets containing the signatures and affidavits are detached from the pamphlets and attached to one or more printed copies of the measure so proposed by said initiative petitions; that the said initiative petitions so presented and filed by the said H.G. Spaulding, contain Sixty-three thousand six hundred seventy-five (63675) ~~xxxxx~~ petitioners; that the said petitions are in all respects as required by law, with the warning printed thereon as required by law.

.....
Secretary of the State of Oklahoma.

Copy of
Receipt given to
H. G. Spaulding
filing
State Question
16 Init. Pet. 8

Dec. 11th 1909

Guthrie, Oklahoma, December 27th, 1909.

To the,
Secretary of State,
Guthrie, State of Oklahoma.

Dear Sir:-

You are hereby notified that the undersigned petitioner is dissatisfied with the ballot title provided by the Attorney General for Iniative Petition Number Eight, proposing an amendment to Article Nine of the Constitution of the State of Oklahoma, and takes an appeal to the Supreme Court of the State of Oklahoma, as provided by Section Six of Article One, Session Laws of Oklahoma, 1907-8; and the petitioner respectfully requests that you certify and file with the Clerk of the Supreme Court of the State of Oklahoma copy of your letter to the Attorney General of December 17th, 1909, the original of the letter and decision of the Attorney General of date December 27th, 1909, and the original of the ballot title provided by the Attorney General on said measure, together with a copy of the petition to the Governor of the State of Oklahoma containing the proposed amendment to which the signatures of the petitioners were attached which now remain on file in your office as provided by law.

Guthrie, Oklahoma, December 27th, 1909.

H. G. Spaulding Petitioner,

by [signature] His Attorney.

Notice to
Secretary of State by
Y.L. Spaulding
objecting to
Ballot Title
prepared by
Attorney General

Dec 27-1909

BALLOT TITLE.

State Question Number _____ proposing an amendment to Article Nine of the Constitution.

Purpose of measure is to supercede sections two, six, eight, nine, eleven, twenty-eight, thirty-one and portions of eighteen of Article Nine of the State Constitution by adopting constitutional provision authorizing any transmission or transportation company organized out of but having line in the State upon conditions named to extend, build branches, additions, improvements, exercise eminent domain, consolidate with or dispose of any of its rights to any like connecting corporation or own with it forming parts of an entire business; and exempting such companies from reports, inspections, maintenance of office and books as provided by Constitution in sections named.

Filed 12/27/09.

Exhibit B

BALLOT TITLE.

State Question Number 46 proposing an amendment to Article Nine of the Constitution.

Purpose of measure is to supercede sections two, six, eight, nine, eleven, twenty-eight, thirty-one and portions of eighteen of Article Nine of the State Constitution by adopting constitutional provisions authorizing any transmission or transportation company organized out of but having line in this State upon conditions named to extend, build branches, additions, improvements, exercise eminent domain, consolidate with or dispose of any of its rights to any like connecting corporation or one with it forming parts of an entire business; and exempting such companies from reports, inspections, maintenance of office and books as provided by Constitution in sections named.

Ballot Title

For State Question #16 Int. Pet. #8

Dec. 27-1909

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA.

H.G. Spaulding, Petitioner, Appellant,	
--: vs :--	Case No.....
Charles West, Attorney General, Appellee.	

In the matter of the ballot title for iniative petition number eight proposing an amendment to Article nine of the Constitution of the State of Oklahoma to be known as Section forty-nine of said Article.

DISMISSAL OF APPEAL.

Now comes the above named petitioner and appellant and here and now in open Court ~~and~~ dismisses his petition and appeal herein filed from the decision of the Attorney General in preparing ballot title ~~for~~ iniative petition to amend Article nine of the Constitution of the State of Oklahoma by adding Section forty-nine thereto at the cost of the appellant.

H. G. Spaulding .....Petitioner and Appellant,

By Henry Eichel .....His Attorney.

Motion to dismiss sustained and cause dismissed at cost of appellant, Kane, C.J. 1/4/10

The above is a true copy of the order of dismissal in above cause. 1/4/10 W.H.L. Campbell - Clerk Sup. Ct. By Jessie Pardoe, Deputy.

Dismissal of Appeal
in Supreme Court
on Ballot Title.
State Question #16.
Int. Pet. 8.

Filed Jan 4 1910

Supreme-A

Jan. 20th 1910

Honorable C. N. Haskell,

GOVERNOR

Guthrie, Okla.

Dear Sir:-

Pursuant to the provision of section 8 of Chapter 44, Session Laws of 1907-08, I have the honor to advise you that there was filed in the office of the Secretary of State an Initiative Petition No. 8, being a Bill entitled An Act proposing an amendment to the Constitution of the State of Oklahoma by adding to article 9 thereof the following provision which shall be known as section 49, of said article 9, a copy of which said Petition is hereto attached. That said Petition has been accepted and that its ballot title has been decided upon by the Attorney General as follows:

BALLOT TITLE

State Question number 16 proposing an amendment to Article Nine of the Constitution.

Purpose of measure is to supercede sections two, six, eight, nine, eleven, twenty-eight, thirtyone and portions of eighteen of Article Nine of the State Consti-

tution by adopting constitutional provisions authorizing any transmission or transportation company organized out of but having line in this State u on conditions named to extend, build branches, add tions, improvements, exercise eminent domain, consolidate with or dispose of any of its rights to any like connection corporation or one with it forming parts of an entire business; and exempting such companies from r eports, inspections, maintenance of office and books as provided by Constitution in s ections named.

Sincerely yours,

LM-BS Secretary of State.

Copy of
Letter notifying
C N Haskell
of Election
Int Rel. # 8

A R G U M E N T.

The proposed amendment to the Constitution of Oklahoma should have the earnest support of every loyal Oklahoman.

Because it aims to improve what experience has proved to be a positive defect in the Constitution.

Because it removes from an energetic and ambitious young State a handicap which has already hindered, and threatens future disaster toa progress that has been phenomenal and unique.

Because it was prepared and initiated by the Federated Commercial Clubs of Oklahoma, whose efforts are devoted to the up-building of the State and the prosperity of its people, and to whose patriotic zeal the present commercial, industrial, and agricultural advancement of the State is largely due.

Because it undertakes in a practical way to extend and improve Oklahoma's transportation facilities without relaxation of State control in behalf of the people.

So much for generalities.

The substance and purpose of the amendment as stated in the proclamation calling the election, is to authorize railroad, transportation, and transmission companies, organized under the laws of any other State, or Territory, or of the United States, owning or operating any line or lines, in, into, or through the State, upon filing copy of its Articles of Incorporation with the Secretary of State, appointing and maintaining a resident agent upon whom process may be served, to extend its lines and build branches in the State, exercise the right of eminent domain, and authorizes such foreign and also domestic corporations to lease or otherwise acquire and

other like lines; to lease, sell, or otherwise dispose of their properties to other like companies; and exempts foreign companies from maintaining general offices or holding corporate meetings in the State.

The amendment expressly provides that it shall not be construed to limit the power of regulation by the State, to require by law the filing of such reports and the furnishing of such information as may be necessary to properly regulare its business in the State, and shall not relieve such foreign or domestic corporations from all proper supervision and control of the Corporation Commission under the Constitution and laws of the State.

As the Constitution now stands.

Section Six of Article Nine requires every railroad Company operating in the State to maintain practically such general offices or principal place of business in the State as is required of corporations at the place of their domicil, which is illegal as to the four railway systems traversing the State, until they do something to acquire additional Constitutional rights. This requirement would cost each of said railroads approximately Three Hundred Fifty Thousand Dollars yearly, and would add to operating expenses of each Twelve Hundred Thousand Dollars yearly.

Take the Rock Island System for instance, - - - - It owns and operates lines in fourteen States and Territories; if like laws were enacted in each State and Territory it would cost that company over four and one half million dollars yearly maintaining thirteen unnecessary offices, all of which would be an operating expense, must be considered in fixing rates, and ultimately come out

of its patrons, increasing the rate of freight and passenger service to that extent.

The amendment affects Section Eight of Article Nine, in that it places domestic corporations on an equal basis with foreign corporations as to building, selling, leasing, otherwise acquiring or disposing of property to or from other companies. No possible reason can be given why this should not be permitted.

The amendment supersedes Section Nine of said Article prohibiting foreign corporations from consolidating with like companies in the State and when so consolidated they could not under Section Eight acquire or purchase the property of other like companies except by Act of the Legislature recommended by the Corporation Commission. So it is impossible for any public service company to buy other like lines or sell its property to like companies.

The amendment supersedes Section Thirty-one of said Article, which prohibits any foreign railroad, transportation, or transmission company from condemning right of way, hence neither of the four railroads now controlling the business of the State can condemn ground for side tracks, no matter what the necessity may be; nor extend their lines to furnish additional service; nor acquire the lines or other like companies, either domestic or foreign, all of which places railroad construction in the State at a stand-still;-- These provisions retard the building of railroads in the State and serve no useful purpose. These four companies now control all State Traffic. It is immaterial to them whether this amendment carries.

They can dictate division with small roads, and control the situation in their own interests.

The proposed authorizes railroads, transportation, and transmission companies organized under the laws of any other State, or Territory, or of the United States, which may wish to extend their line or lines, in, into, or through Oklahoma, to do so, to exercise the right of eminent domain, to lease, purchase, or otherwise acquire and operate other like lines, to lease, sell, or otherwise dispose of their property to like companies (and this applies to domestic companies;) it exempts foreign companies from maintaining general offices or holding corporate meetings within State. But imposes important conditions and requirements before railroads, transportation, or transmission companies may exercise the powers granted.

It is expressly provided that the company must file copy of its Articles of Incorporation with the Secretary of State, and must appoint and maintain a resident agent upon whom process ~~of~~ may be served. Furthermore, it is provided that the amendment, "Shall not be construed as limiting the power of the State to require by law the filing of such reports and the furnishing of such information as may be necessary to properly regulate its business within State, and shall not relieve such foreign or domestic corporations from all proper supervision and control of the Corporation Commission, under the Constitution and Laws of this State.

There is projected today in the State over three thousand miles of new road most of which will be built if this amendment carries.

Before Statehood we had an active period of railroad

building, which has now ceased. The cause is apparent. There is no money in Oklahoma to build them and outside capital cannot be induced to invest because when built they cannot be sold. Everyone knows that the best service and cheapest rates are obtained through large systems. The Chairman of the Corporation Commission says that if all railroads were owned by one company the Commission could control them better in the interests of the people. This is true. All state rates are subject to the approval of State Commissions - - - All inter-state rates are subject to approval of the Inter-State Commerce Commission.

Hence competition is impossible.

No power of regulation and control is taken away from the State or Commission and the adoption of this amendment will bring the State within the next two years seventy-five million dollars in taxable railroad property alone - - bring thousands of Oklahoma farms nearer to market - - build cities and towns and offer labor of all kinds a chance of employment - - bring thousands of immigrants to the State - - and millions of taxable wealth in addition to the railroad property.

A. L. Walker for Federated Commercial Clubs.

1190 words.

Argument paper of
Mill Pet. #8

Filed April 11th
1910. 5 o'clock P.M.

Bill Cross
Secy

REPLY ARGUMENT AGAINST THE ADOPTION OF PROPOSED SECTION 49.

The proposed amendment to the Constitution is generally known as repeal of Section 9, Article IX, This is a misnomer. While it does repeal Section 9, Article IX, it also repeals Sections 2, 6, 8, 9, 11, 26, 31 and portions of 18.

We will consider the effect of the proposed amendment under three heads:

(1) What additional privileges and powers are conferred upon railroad and transmission companies.

(2) What authority and power is taken from the State and the Corporation Commission.

(3) What will be the effect of increasing the privileges of railroads and decreasing the authority of the State and the Corporation Commission.

(1) WHAT ADDITIONAL PRIVILEGES AND POWERS ARE CONFERRED UPON RAILROAD AND TRANSMISSION COMPANIES.

First. It gives to all foreign railroad, telephone, gas and oil pipe line companies, the right of eminent domain.

Second. It gives to the foreign railroad, oil, gas, or telephone company, the right to consolidate with, or purchase parallel and competing lines, provided such competing lines in some way touch the purchasing line, either physically or by business connection, which means no connection.

Third. It gives to the foreign railroad, oil, gas, or telephone company the right to consolidate the stock, property, or franchise of such corporations, or in any way control any public service corporation property.

Fourth. It permits domestic railroad, oil, gas, telephone lines organized under the laws of this State to consolidate with any other railroad, oil, gas, or telephone

company organized under the laws of any other state or the United States.

Fifth. This provision permits one great foreign railroad corporation to own all the railroads in the State; one telephone company to own all the telephone lines in the State; one gas pipe line company to own all the gas pipe lines in the State; one oil pipe line company to own all of the oil pipe lines in the State, and etc. This property may be purchased outright or it may own a majority of the stock in other public service utilities and control same indirectly.

(2) WHAT AUTHORITY AND POWER IS TAKEN FROM THE STATE AND THE CORPORATION COMMISSION.

First. It prevents the Corporation Commission from requiring the railroads to keep their offices, books, and accounts in the State of Oklahoma.

Second. It prevents the Corporation Commission from requiring the names of the owners of stock, the amount of stock paid, the transfer of stock, the amount of assets and liabilities, and the names and places of residences of officers, and such other matter as may be required by order of the Corporation Commission. It prevents the Commission, or either of them, or such person as they may employ, therefor, the right, as they may deem necessary, to inspect the books and papers of the railroad company or other public service corporation, and to examine under oath any officer, agent, or employee of subh corporation in relation to the business and affairs of the same. It prevents the Commission from requiring of such companies from time to time special reports and statements under oath concerning their business, thereby preventing the Commission from being fully informed of the physical condition of all the railroads of the State as to the

manner in which they are operated with reference to the security and accommodation of the public and because these reports cannot be required by order of the Commission, it prevents the Commission from making and enforcing such requirements, rules and regulations as may be necessary to prevent unjust or unreasonable discrimination or extortion by any transportation or transmission company in favor of or against any person, locality, community, connecting line or kind of traffic, etc. Because these reports cannot be required, the Commission cannot prescribe just rates and regulations.

Third. It repeals the accounting order prescribed by the Commission, by which the railroads are required to make a detailed accounting of all their acts and doings pertaining to the State of Oklahoma.

Fourth. It repeals all other orders requiring information. It repeals that provision of the Constitution giving the Commission authority to require information, by order, of the acts or doings of the railroad companies.

Fifth. It repeals the accident order of the Commission, which requires the railroad companies to report all accidents and the cause thereof to the Commission, so the Commission may know the cause, that some action may be taken to prevent the sacrifice of human life in railroad operation .

Sixth. It virtually strips the Commission of all power and leaves it standing like a withered oak without power to do anything that is material or effective so far as the interest of the State is concerned.

(3) WHAT WILL BE THE EFFECT OF INCREASING THE PRIVILEGES OF RAILROADS AND DECREASING THE AUTHORITY OF THE STATE AND THE CORPORATION COMMISSION.

First. If Section 49 is adopted, the railroad, oil, gas, telephone and telegraph companies, cannot be required to keep books or records in this State except as may be necessary in the transaction of their business within the State. This means absolutely nothing. It means just such books as are necessary for railroad agents or bookkeepers to use while the business is being operated. Each night or day these books could be sent out of the State, and a new one used. The book sent out would not be necessary for the transaction of the business of the company the next day. It says: "This provision shall not be construed as limiting the power of the State to require by law the filing of such reports and the furnishing of such information as may be necessary to properly regulate its business in the State."

The Constitution now provides that information shall be furnished as required by law or by order of the Corporation Commission . Why was the order of the Corporation Commission left out? It was because they wanted to repeal all orders of the Commission now requiring information so they could go ahead and beat the two cent fare and rate cases now pending in the Federal Courts before the Legislature could meet and pass a law and get it into effect. Then the Legislature may pass a law and a Federal Court may decide whether that information is proper. The Corporation Commission which must deal with this subject daily has nothing to say regarding what information will be proper. How can a legislature with the railroad lobbyists swigning around every public service committee foresee and know what cases will be before the Commission or what information will be necessary to meet changing conditions.

As suggested in the argument of the petitioners, it is true that the Corporation Commission could control the railroads just as well if they all belonged to one company, but without information, they cannot be controlled whether they belong to one company or a dozen companies.

If this section is adopted the Commission will be in the same position of a man with his hands completely tied and the railroads saying they are willing to do anything that is proper for them to do. With the Commission tied it will leave it to the railroads to say what is proper.

The greatest deception played upon the people is that this is a proposed amendment to the Constitution by the commercial clubs of Oklahoma. We have sought information as to these commercial clubs. It means four or five people under the employment of the railroads, and the commercial interests of the State are in no sense behind it. This proposed amendment was drafted and agreed upon in the City of Chicago by the head officials of all the main railroads in the State of Oklahoma, and is one of the most deceptive pieces of proposed legislation that was ever written.

One other advantage sought by railroads in asking the adoption of this amendment is that they desire to escape the jurisdiction of the Oklahoma Corporation Commission and the Oklahoma courts. As long as they are not forced to domesticate they are free to transfer practically all litigation to the Federal Courts and there either exhaust financially those who would sue them or secure such endless delay that only the most extreme cases will be pressed to a determination.

The railroads claims no new construction is going on in Oklahoma and that the adoption of the Constitution stopped it. Figures show that railways in Oklahoma have built 207 miles of

new track since June 30,1908. The same roads have built but 115 miles in Kansas, Louisiana, Texas, Arkansas, Colorado, Illinois and all other states where they operate combined. George Gould, President Missouri Pacific, said in 1909 report to stockholders: "Owing to decreased revenue brought on by extreme depression vigorous retrenchment was effected in all departments." Practically every railway president in the United States used words to the same effect in their reports. Why should Oklahoma's Constitution be charged with evils of the bank panic?

The railroads say four companies already control all Oklahoma traffic, dictate business of small independent roads, and prevent competition.

Sworn reports show Midland Valley, Fort Smith & Western and Missouri, Oklahoma & Gulf roads to be earning $100 at eight dollars less expense than a year ago. This means increasing profits under existing conditions. If big roads already control business and dictate division of receipts small roads could not hope to profit by proposed amendment.

Railroads say service is best and rates cheapest on big systems. Statistics show more watered stock in big systems. Dividends on this inflated stock require high rates. This necessarily means burden on people. The Consumer pays the freight. They say $75,000,000 would be added to tax valuation. This is a supposition. If it were true what would be the advantage? Railroads secured Judge Hook's injunction on claim that they were worth $60,000 per mile and are now preventing by injunction the collection of taxes on $30,000 per mile.

If the voters of Oklahoma desire to be guided by laws written from this source and desire to tie the hands of

Argument against
Int. Pet. #8

Filed april.
20th 1910

R E P L Y A R G U M E N T.

The proposed amendment doesn't affect Section Two, Article Nine of Constitution, which provides that domestic corporations may connect at State line with like corporations.

It affects the following sections:--

Six, by relieving foreign corporations from maintaining general offices within State.

Eight, only by conferring on domestic corporations the same rights which foreign corporations, under the amendment, would be authorized to exercise within State.

Eleven, by conferring on all corporations right to acquire property of other corporations.

Thirty-one, by authorizing foreign corporations to exercise eminent domain.

Amendment supersedes Section Nine.

Amendment doesn't affect Section Eighteen, which confers upon the Corporation Commission the power of regulation and control, which by amendment is expressly reserved.

Nor Section Twenty-eight, which confers upon Corporation Commission and Legislature the right of visitation, to enact laws and orders providing for visitation, inspection, and examination of books and records.

Nor Section Six, Article Twenty-three, the contributary negligence clause of Constitution, which is binding alike on Federal and State Courts.

It in no way affects the Fellow-Servant Law.

As to pipe line companies, eminent domain was conferred by Strain-Nagor Bill published in Session Laws nineteen hundred seven - eight.

The question is, "Will the people of Oklahoma amend the Constitution so as to invite foreign capital in the State?" People will not invest unless they can sell after investment is made. Suppose

Mr. Voter, you should construct a building in any town and were prohibited from renting, selling, leasing, or using it for any purpose except to live in. This is a fair comparison. Would you invest? No.

Chairman Love suggests that figures show that railways in Oklahoma have built two hundred seven miles of new track since June thirtieth nineteen hundred eight, and that the same roads built but one hundred fifteen miles in Kansas, Louisiana, Texas, Arkansas, Colorado, and Illinois.

Since Statehood the Santa Fe has built in Texas over two hundred miles, Oklahoma none; Orient, in Oklahoma thirty-three miles, Texas, one hundred forty-five; Wichita Falls and Northwestern, in Oklahoma, seventy-eight miles, Texas, fifty-six. The last two roads named were financed before Statehood. The Katy none in Oklahoma or Texas. The Rock Island none in Oklahoma, thirty miles in Texas. Other roads which don't touch Oklahoma have built in Texas a total of six hundred miles, most of which was built and financed since Statehood, the panic referred to by Love not affecting Texas railroad construction.

In the years nineteen hundred eight and nine there was built in Arkansas sixteen miles of railroad, Colorado, one hundred seventy-six miles, both of these being older States than Oklahoma, and far better supplied with railroads.

The Hook Decision was secured :--

FIRST: - Because the Commission fixed rates too low.

SECOND:- Because of incompetency of Attorney General to present case.

Let Oklahoma people be wise and amend the Constitution so that capital can afford to invest in railroads in Oklahoma. Improve the State, increase value of farms, build cities, and add millions of taxable wealth to the State and furnish employment to labor.

A. L. Walker for Federated Commercial Clubs

State Question No. 16 **Initiative Petition No. 8**

The gist of the proposition is as follows:

That an extra section be added to Article 9 of the Constitution directing that any railroad, transportation or transmission company organized under the laws, of any other State, the United States or any Territory thereof, owning or operating, or wishing to extend a line or lines through this State may have the right and power to conduct such business after they have filed a copy of their Articles of Incorporation with the Secretary of State and appointed a resident agent upon whom legal process may be served.
Shall the Amendment be adopted?

Vote: Yes 53,784
No 108,205

Amendment Rejected

#16

(State Question—Initiative Petition No. 8)

Filed Dec. 11th. 1909.
63.000 names.

A BILL ENTITLED

AN ACT

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF OKLAHOMA, BY ADDING TO ARTICLE NINE THEREOF THE FOLLOWING PROVISION WHICH SHALL BE KNOWN AS SECTION FORTY-NINE, OF SAID ARTICLE NINE.

Be It Enacted By the People of the State of Oklahoma:

That the Constitution of the State of Oklahoma be, and the same is hereby, amended by adding to Article Nine thereof, to be, and become, Section Forty-nine of said Article, the following:

"Sec. 49. "Any railroad, transportation or transmission company, organized under the laws of any other State, or of the United States, or any Territory thereof, and owning or operating any line or lines in this State, or which may wish to construct or extend its line or lines in or into or through this State, shall have the right and power upon filing a copy of its Articles of Incorporation with the Secretary of State of this State, and appointing and maintaining a resident Agent upon whom process may be served, to extend or construct its line or lines in or into or through this State, and build branches, and make additions or improvements and exercise the power and right of eminent domain to accomplish the corporate purpose of any such corporation,

3/29/10
Election called by Governor on this petition for June 11th. 1910.