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[State Question—Initiative Petition No. 1]

"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 petitions when he is not a legal voter."

[State Question—Initiative Petition No. 1]

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

We, the undersigned citizens and legal voters of the State of Oklahoma, and of the County of ....., or City of ....., respectfully order that the following proposed law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election to be held on Tuesday, the 3rd day of November, A. D., 1908, 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 ....., City of ....., my residence and post office are correctly written after my name. The time for filing this petition expires nine months from the sixth day of June, 1908. The question we herewith submit to our fellow voters is: Shall the following Bill be adopted:

A BILL

To propose by Initiative Petition "A law providing for the sale of school and other public lands of Oklahoma, subject to certain exceptions and conditions, and providing rules therefor, and penalties for violation thereof."

Be it Enacted by the People of the State of Oklahoma:

Section 1. The Commissioners of the Land Office shall dispose of, sell, and convey, (subject to such exceptions, conditions, rules and restrictions as provided in this Act or any Act amendatory hereof), all public lands owned by this State including the lands embraced in sections sixteen and thirty-six in each township and range in the State of Oklahoma, where the same is reserved to the State for school purposes; and shall also dispose of, sell, and convey all sections of "indemnity land" heretofore selected by the United States Department of Interior, the Territory or State of Oklahoma, or any officer or agent of the Territory or State of Oklahoma, Department of Interior, or of the United States in lieu of sections sixteen and thirty-six, except where the same is embraced in any reservation specifically reserved from sale in this act, or in any Act of Congress or of the State specifically reserving any part thereof for any special purpose; also all of the public lands embraced in sections numbered thirteen and thirty-three in each township and range in the State of Oklahoma, where the same is reserved to the State for public buildings, public institutions of education, or other state property; also all sections of "indemnity land" heretofore selected by the United States, the Territory or State of Oklahoma, or by the Department of the Interior, or of any officer or agent of the Territory or State of Oklahoma, the Department of the Interior, or of the United States in lieu of said sections thirteen and thirty-three, except where the same is reserved from sale in this Act, or in any Act of Congress of the United States specifically reserving the same for any special purpose; also all of the lands withdrawn from the public domain and reserved under section twelve of the Act of Congress approved June 16, 1906, known as the "Enabling Act" of the State of Oklahoma, the same being for the University of the State, 250,000 acres; for the University Preparatory School, 150,000 acres; for the Agricultural and Mechanical College, 250,000 acres; for the Colored Agricultural and Normal University 100,000 acres; and for the Normal Schools now established, or hereafter to be established, 300,000 acres: Provided, where any part of the lands granted to the State of Oklahoma are known to be valuable for minerals, including gas and oil, such lands shall not be sold prior to January 1, 1915.

Section 2. All proceeds of the sale of such land described in Section 1 of this Act shall be sacredly preserved for the use and benefits of the several funds, institutions, and purposes for which such land was granted by the United States to the State of Oklahoma under the provisions of the Enabling Act, and of any and all other Acts of Congress, and by the Constitution, for the uses and purposes and upon the conditions and under the limitations for which the same were granted and the money resulting from such sale shall be handled, disposed of, and used by the State in like manner as the other moneys belonging to said several funds under the laws of this State.

Section 3. No person other than a bona fide resident of this State, shall be qualified or permitted to acquire title to any part or parcel of any of the lands described in Section One of this Act so long as said lands are owned or held in whole or in part by the State, until he has moved to and made a bona fide residence for two years upon the land purchased by him.

(a) No person shall be permitted to purchase more than one quarter section, or subdivision aggregating one quarter section of land under the provisions of this Act.

(b) No person, except a lessee, owning land in excess of one quarter section, according to the United States survey, whether said land be situate in the State of Oklahoma or elsewhere, shall be permitted to become the purchaser of any of the lands to be sold under the provisions of this Act.

(c) No person holding any lands mentioned in Section One, by lease from the Territory or the State of Oklahoma, or from any officer of said State or Territory, or of the Federal Government, shall be permitted to buy more than one hundred and sixty acres, or one quarter section according to the United States survey; nor shall he be permitted to transfer, directly or indirectly, any of said lands in excess of one quarter section, and all such attempted transfers after the passage of this Act shall be null and void and said holders shall yield up and deliver possession to the State immediately upon the termination of such lease contract upon such land: Provided, however, if such lessee holding land in excess of one hundred and sixty acres shall have lasting valuable improvements other than fencing and tillage, (and including fencing or tillage) such person may have the preference right to buy one quarter section; and before said lessee shall acquire title to said land purchased under the provisions of this Act, he shall waive all rights of purchase on all other lands under his lease contract or contracts in excess of one quarter section, and shall accept said land with condition of such waiver, but any member of his family of lawful age, (including married sons and daughters, with lessee's consent), may have preference right to purchase one quarter section each, having had such improvements placed thereon in good faith, the remaining portions of such lands so held by such lease contract shall be yielded up to the State for such disposition as in this Act provided, any contract to transfer or sub-lease made and executed by such lessee, after the passage of this Act, to the contrary notwithstanding; and any lessee holding lands in excess of six hundred and forty acres from and after the passage of this Act, who transfers, directly or indirectly, or attempts to make transfer of his leasehold interest to any amount in excess of six hundred and forty acres aforesaid in violation of this Section, upon conviction shall be guilty of a felony, and be punished by confinement in the penitentiary not more than three years; and any purchaser thereof at any time prior to final payment, shall forfeit said land together with all appurtenances thereunto belonging, together with all principal and interest: Provided, the Commissioners of the Land Office is hereby authorized to permit at any time the transfer of the unexpired time of any lessee's contract.

(d) Any bona fide resident of this State having lasting and valuable improvements thereon shall have the preference right to purchase one quarter section, and any member of his family of lawful age (including married sons and daughters, with the lessee's consent), may purchase any other of such lands so improved, and leased by him, not to exceed one quarter section each.

(e) All other public lands as enumerated in Section One, not heretofore leased, and all lands leased and which have no such improvements thereon, other than fencing, shall as a condition of the right to purchase, be required of the purchaser that he or she move to and make bona fide residence upon said land for a period of two years, during at least six months of each year, and shall construct lasting valuable improvements, including tillage; and any person taking such land with a view to purchase the same shall take the same subject to such condition of residence and improvements.

(f) All lands, together with the improvements thereon, sold under the provisions of this act shall be subject to taxation upon the acceptance of said land by the purchaser, whether the title of said land remain in the state or not, and said purchaser shall accept said lands subject to such condition of taxation.

Section 4. That from and after the first day of January, nineteen hundred and fifteen, the land commissioners may increase the amount of land which may be sold to one purchaser and settler to three hundred and twenty acres with all the conditions of purchase, as in this act imposed, during the period of five years from January first, nineteen hundred and fifteen, to January first, nineteen hundred twenty; and thereafter from said last named date, the commissioners of the land office may sell during the period of the following three years after January first, nineteen hundred and twenty, any of the remaining lands unsold as enumerated in this act, in an

amount not to exceed six hundred and forty acres to one purchaser, and at the end of said three years period, or after January first nineteen hundred and twenty-three, all of the residue of the unsold public lands of this state may be sold in an amount in acreage of any size to suit the purchaser and the commissioners of the land office, either to any of the former purchasers under the provisions of this act, or to any other purchaser: Provided, that from and after the passage of this act none of the lands herein authorized to be sold (except lands reserved for sale as town lots, acreage tracts and public parks) shall be leased for a longer period than one year at a time which lands may be leased annually to any lessee having a preference right, or any purchaser of any of the land provided for in this act, or to any other bona fide resident of this state on such terms of rental as to the commissioners of the land office may seem just and equitable, and that any citizen of this state desiring to purchase public lands of this state subject to the conditions of this act shall be permitted, for the purpose of investigation, only, to go upon said leased lands with a view of making application to the commissioners of the land office, and to begin occupancy and improvement of a quarter section of said lands with the view of such purchase at the end of any annual lease period. That said annual lease of such lands when so leased shall run from January first to December thirty-first of each and every year so leased: Provided, that where lease contracts expire after January, of any year, they may be leased again from that date to the second December thirty-first thereafter.

Section 5. The Commissioners of the Land Office shall reserve from sale, as in the foregoing sections provided, any lands lying near or within the limits of any city or town which may have a greater value than for farming purposes, by being platted and sold as town lots, acreage tracts, or public parks; and said commissioners shall cause said lands to be surveyed, platted, appraised, and sold at public auction for such purposes, and the lessee shall have the preference right to buy at the highest and best bid. All purchasers shall immediately pay to the commissioners of the land office ten per centum of the amount of the purchase price; the balance shall be paid in four equal annual payments same to bear interest at six per centum per annum, payable annually. Failure to make payment for six months after same shall be due and payable, as provided in this section, shall forfeit to the state school fund or the institution or fund to which such land may belong, any such lot together with all appurtenances thereunto belonging and all payments made thereon and said lots so forfeited shall be resold, together with the improvements thereon, at public auction on such terms as hereinbefore provided. The commissioners of the Land Office shall also reserve from sale a tract of not exceeding six acres where public burials have been made, to include all graves and same shall be paid for by the state, out of the general funds of the state.

Section 6. All the lands enumerated in section one of this act shall be open for sale immediately upon the appraisal of the same as provided in this act and by law: Provided, that the commissioners of the Land Office shall appraise and sell the lands in order as in their judgment seem best. Said Commission shall proceed with said work as expeditiously as the same can be performed under the law.

Section 7. Said lands and the improvements thereon shall be appraised by a board consisting of three disinterested persons, two of whom shall be actual farmers and all non-residents of the county wherein such land is situate.

Section 8. Said appraisers shall make a correct appraisement of said lands at their true and actual cash value, exclusive of improvements thereon; and shall separately appraise all improvements thereon at their fair and reasonable value, which combined appraisement shall constitute the appraised value of said property; and no lands shall be sold for less than said value: Provided, that, except the lands reserved for town lots, acreage tracts, and public parks, the appraisement of the improvements upon all lands sold under this act shall not exceed in any event the appraised value of such land, except improvements placed upon such lands prior to the passage of this act, unless by authority of the Commissioners of the Land Office, given prior to the appraisal. In the event it shall appear that said land or improve-

ments has not been properly appraised, the Commissioners of the Land Office shall have the power to order and provide for a new appraisement.

After the final appraisement, as provided in this section, the Commissioners of the Land Office shall notify the lessee before such land is offered for sale, of the appraised value of his improvements, and should any such lessee be dissatisfied with the appraisement of his improvements, said lessee shall notify the Commissioners of the Land Office in writing within thirty days to that effect, whereupon the land covered by said lessee's contract shall be reserved from sale pending a review of the appraisement made by said Commissioners of the Land Office in the District Court, and an appeal from the Board of Appraisers may be taken as provided by an act of the First Legislature, entitled: "An Act amending Section 28 of Article IX of Chapter 17, of the Statutes of Oklahoma, 1893, and regulating the method of proceedure in the condemnation of private property for both public and private uses", approved May 20th, 1908, and the procedure of such appeal and the review and demand for jury trial in said court shall conform to the procedure in said act. Pending the termination of any such appeal, the lessee shall be entitled to remain in possession of said property, paying therefor as rental five per centum on the appraised value of the said land, upon which said improvements are located.

Section 9. The state shall have a first lien on all lands sold under this act, together with all improvements and appurtenances thereunto belonging until all payments, both principal and interest are made thereon, and upon such payments being made, the Commissioners of the Land Office, in forms of law, shall execute to each purchaser, as in this act provided, a patent in fee simple; Provided a certificate of purchase reciting the conditions of such purchase shall be issued to every purchaser under this act immediately upon the execution of such contract of purchase, and such certificate of purchase shall be entitled to record, as evidence of the same, under the provisions of the laws of conveyance.

Section 10. Every lessee shall have the right to all permanent improvements placed on said land prior to the passage of this act at their fair and reasonable value, and shall be paid for such improvements in the event that restrictions or conditions are such under the terms of this act or any act amendatory hereof that he cannot become the purchaser of all or any portion of the lands held under a subsisting legal contract with the state or territory of Oklahoma or of any officer of the federal government; Provided, further, any lessee holding not exceeding one quarter section shall have the right to the value of all such improvements placed upon said land at any time prior to the sale of said lands whether or not such lease was executed before or after the passage of this act.

Section 11. If the lessee of any tract of land sold by the state shall not become the purchaser of the land leased by him, he shall retain possession of any portion of said land upon which he shall then have growing crops until he shall have sufficient time to mature, harvest, and remove same from such land; provided no extension of such time of possession shall extend longer than thirty-first day of December thereafter.

Section 12. Upon the sale of such lands as provided herein, if any lessee having "preference right" to purchase as provided herein, and fails or refuses to pay the highest bona fide public bid thereon, then the purchaser shall pay to the Commissioners of the Land Office to reimburse the lessee having such preference right, the appraised value of all such improvements (as defined in section ten) and all purchasers of lands sold under this act shall pay to the said Commissioners the appraised value of all improvements on said land to reimburse the lessee having such preference right to said values; and upon possession being given by the lessee, the Commissioners of the Land Office shall immediately pay to him the value of all such improvements paid to them by such purchaser.

Section 13. In addition to the value of the improvements, five per cent of the purchase price of the land shall be paid at the time of the sale, except where the land sells for less than One Thousand Dollars, in which case the initial payment shall

be fifty dollars on any quarter section. The remainder of the purchase price shall be paid in forty equal annual payments with interest at the rate of five per cent per annum; Provided that at the expiration of five years, the purchaser may pay all deferred payments, both principal and accrued interest: Provided, the purchaser shall not be permitted to sell the land so purchased until the end of five years from the date of purchase to any person or persons owning more than one section according to the United States survey, and such purchaser shall take such land subject to such restrictions and conditions. Violations of this provision shall work a forfeiture of said land, together with all appurtenances thereunto belonging, and the same shall escheat to the state upon proof of a violation of the conditions herein provided.

Section 14. Any purchaser of land under the provisions of this act, shall have the right to make transfer or assignment of all his right, title, and interest in and to such lands, and such assignment shall be in form, and executed and acknowledged as required under the laws governing conveyances: Provided, before delivery of patent, such assignment, to be valid, shall be duly recorded in a proper book kept for that purpose by the Commissioners of the Land Office. Provided, further, that where the purchaser of such land has a husband or wife, such husband or wife shall join in the assignment of any such contract.

Section 15. "Preference right" as used in this act or the laws of this state shall mean and include the right of the lessee, to the value of all improvements on said land, and the right to buy one quarter section of land, subject to the condition that such lessee holding such preference right shall pay an amount equal to the highest public bid upon such land so held by such lessee. The enhanced value of all of the public lands of this state shall belong to the State School Fund, or institution or funds to which the land belongs.

Section 16. All purchasers, lessees, or holders of any of the public lands of this State, shall take the same, subject to the conditions of this Act, and all certificates, contracts, or written evidence issued to any purchaser shall recite that the same is taken and accepted subject to all of the conditions of this act or any act amendatory hereof.

Section 17. All lands shall be sold at public auction at the door of the county court house, wherein county court is held, of the county wherein such land is situate, (except reservations for lots, acreage tracts and public parks, which shall be sold on the same), and shall be sold under such rules and regulations as the Commissioners of the Land Office shall prescribe not inconsistent with the provisions of this act. All bidders shall deposit with the Commissioners of the Land Office cash or its equivalent, before making his bid to the value of the lessee's improvements and the lessee shall then and there either in person or by agent, and before the next tract is offered, exercise his election of taking said land at the highest bid and complying with the requirements of the purchase thereof or receiving the cash deposit by the highest bidder: Provided, if no bid shall be made, the lessee may take said land at the appraised value. Such sale shall not be made in more than one county on the same day.

Section 18. The person applying to purchase any part or parcel of the public land of this State, shall make affidavit that he is an applicant for purchase of the same and that the application is made for his own use and benefit and not either directly or indirectly for the use or benefit of any other person or persons. Each applicant shall file said affidavit with the Commissioners of the Land Office.

Section 19. The Commissioners of the Land Office shall prescribe forms of oaths and rules to govern applications to buy or lease such lands, and any other rules not inconsistent herewith, to carry out the provisions of this act. Any applicant to purchase or lease land, or any other person who shall knowingly make any false affidavit touching the sale or lease of said lands, or knowingly swears falsely in relation thereto, shall be guilty of false swearing and upon conviction be punished by confinement in the penitentiary for not more than three years.

Section 20. Any willful violation of this act by any member of the Commissioners of the Land Office or by any member of any Board of Appraisers, or by any other officer selected to perform any of the duties required under this act shall constitute a felony and upon conviction he shall be punished by imprisonment in the penitentiary for not less than one year, nor more than ten years, and shall be summarily removed from office and forever disqualified from holding any office of profit or trust under the Constitution or laws of this State.

Section 21. All acts and parts of acts in conflict with this act are hereby repealed.

(The following are the authors of the Bill on behalf of the petitioners:

C. N. HASKELL, Chairman.
J. C. BOHART,
L. D. MARR,
H. M. WILLIAMS,
J. B. TOSH,
JOHN GOLOBIE,
F. H. GREER,
J. H. JOHNSTON,
R. MITCHELL,
J. ELMER THOMAS,
WM. H. MURRAY.

	NAME	RESIDENCE OR P. O.	St. & No.
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STATE OF OKLAHOMA, COUNTY OF ..... SS:

I, ...

being first duly sworn, say: (Here shall be legibly written or typewritten the names of the signers of the sheet):

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signed this sheet of the foregoing petition and each of them signed his name in my presence; I believe that each has stated his name, post office address and residence correctly, and that each signer is a legal voter of the State of Oklahoma, and County of ....., or of the City of ..... (as the case may be.)

.....
(Signature and Postoffice Address of Affiant.)

Subscribed and sworn to before me this ..... day of ..... A. D., 19....

.....
(Signature and title of the officer before whom the oath is made, and his postoffice address.)

BALLOT TITLE.

STATE QUESTION NO.5 PROPOSED BY INITIATIVE PETITION NO. 1.

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

State Question
No. 5.

Title Ballot

Canvass of Vote

ARGUMENT SUBMITTED BY THE COMMITTEE REPRESENTING THE PETITIONERS FOR THE SALE OF THE PUBLIC LANDS.

State Question No. 5 (Initiative Petition No. 1) is a bill for the sale of all the school and public lands of the state. Sections 13 and 33 are the building lands, which must be sold before we can construct buildings in the east part of the state. Sections 16 and 36 are the common school lands; then there are certain "indemnity lands" taken in lieu of these sections for these two purposes. The remaining lands are the college lands as named in section one of the act. We are obliged to meet certain requirements of the Enabling Act both as to the use of these funds and as to rights of the lessees. This bill gives justice to the lessee, as required by the Enabling Act, and justice to the school or other funds and the public by compelling every tract of land to be sold at public auction to the highest and best bidder, giving the lessee the right to buy at highest bid or refusing and letting the highest bidder take the land. It serves two particular policies, the one to sell the land in small tracts to actual settlers; the other to take the state out of a position of landlord by selling the land to citizens for homes. Section two of this bill guarantees the fund to the several institutions for which they were granted by the United States. Section three under the several sub-headings prevents any person, except lessees, which is necessary under the Enabling Act, owning more than 160 acres from buying any of this land. It compels residence for two years on all lands unimproved. It requires a person living out of the state to move to the state and make settlement on the land. It does not run the risk of selling land for agricultural purposes in large bodies under the name of "grazing lands" by

providing for an increased acreage after 1915 to 320 acres; and still further increase to a section after 1920, by which two dates all the land capable of producing a farm home will have been taken, leaving then only grazing lands to be sold.

It provides for the sale of these lands with a cash payment of ten per cent with deferred payment on balance for forty years at five per cent interest, with privilege of paying out at the end of five years. This is surely the homeless farmer's opportunity. All lands are taxable from date of purchase. It is estimated that about one million acres of these lands have valuable improvements upon them by lessees, the other two million three hundred thousand acres are unimproved and will be opened for new bona fide settlers and home seekers, as it requires actual residence for two years with construction of farm improvements. The lands now occupied in large bodies will have to be turned loose by the lessee, except one quarter section he is permitted to buy; and he is prohibited from speculating upon his excess holdings under section 3 (c). Where lessees have placed improvements upon lands in good faith in excess of one quarter section he is permitted, under this bill, to let some member of his family of age buy an additional quarter at the highest bid, but this right is only guaranteed to those who have heretofore improved their land in good faith, and this quarter will be deeded to this member of his family for a home, not to him.

It is sometime argued that to retain these lands would reap a greater price to the state, but it must be remembered that the loss in taxation and the loss of the soil from lack of care under a tenant system would, in the end, be a greater loss than this enhanced value. The settlement of the Carolinas two hundred years ago, and the cultivation of those lands when the preservation of the soil by terracing, draining, ditching, and rotation of crops was unknown has exhausted them so that it requires an expenditure of ten million dollars annually for

the purchase of fertilizers to put into the soils of those states. Ten million dollars drained annually upon the resources of those states is a loss for which any enhanced value cannot compensate. A tenant system continued in force in Oklahoma would cause the loss of our soils and a drainage upon our resources in the years to come not to be regained by the state's retaining these lands for a higher price. None of these lands at present are paying exceeding five per cent upon the aggregate value of the land, while under this bill five per cent interest will be paid upon the value and in addition thereto the land taxed for the support of schools, state, county, and township government, and the principal, which, when collected by the state, can be reloaned upon interest. It is easy enough to figure that should the state retain these lands for an enhanced value, the loss in taxation and the loss by washing and neglect of a tenant system would far greater exceed the gain in the price of lands, calculating in connection therewith the great expense incident to leasing and renting and collecting rentals. The retention of these lands also has a baneful effect upon public policies of the state by keeping the question in politics. Their sale removes them from political campaigns and permits the settlement between candidates and between parties of issues that may arise for future settlement without being affected by the school land policies or party declarations upon the lease or sale of these lands.

The state will be compelled to construct additional normal schools, build a penitentiary and a branch, an orphans asylum, a reform school, and several other institutions which should be established, but cannot do so until these lands are sold. Since sections 13 and 33 can be used only for building purposes, under the grant to the state from the United States government, it is certainly wise for the state to sell the lands for the purpose of obtaining a building fund rather than to issue bonds and pay interest thereon.

It is sometime argued that a quarter section of land is too small a sale, but any farmer knows that the farmer who cannot produce a living out of a quarter section of land will grow poorer hiring hands and cultivating more than a quarter.

Your committee shall proceed upon the assumption that the people of Oklahoma are intelligent; that they are capable of self government, and of formulating governmental policies. Their action in the past has demonstrated this beyond all ~~vail~~ cavil; therefor, from every consideration of public policy which should govern our state for the future---the principle that the ~~the~~ state should not become landlord, that small home owners should be encouraged, that with our wise laws to encourage and assist agriculture and the protection of soil, recognizing that it is more economical to preserve our rich soils than to attempt to restore our resources after they are washed and wasted away; together with the great benefits to many school districts and townships to be derived in greater taxable values for the support of government and maintenance of schools; together with the principles, details, and limitations of the bill itself, providing that none except the homeless can buy these lands, leaves this question with but one side and that is, that these lands should be sold to serve a sound public policy, the encouragement of the home builder, and the conservation of our resources.

Respectfully submitted,

Wm. H. Murray, Chairman

Henry S. Johnston

John Golobie

B. F. Harrison

H. M. Williams

J. H. Johnston,

Committee representing the petitioners for the sale of the public lands.

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STATE OF OKLAHOMA.

Executive Department.

Proclamation.

WHEREAS, the undersigned Governor of the State of Oklahoma has received notice in writing from the Secretary of State of said State, that, purusant to the provisions of Section eight of an Act entitled "An Act Providing for Carrying into Effect the Initiative and Referendum Powers reserved by the People in Articles Five and Eighteen of the Constitution of the State of Oklahoma; to Regulate Elections thereunder, and to Punish Violations of this Act," approved April 16,1908;

THAT there has been filed in his said office an initiative petition as follows:

AND WHEREAS, the said Secretary of State has further notified the undersigned Governor of the State of Oklahoma in writing that he has examined said above petition and found it to be sufficient and in all things in manner and form as required by law, and that a copy thereof was duly transmitted to the Attorney General; and

WHEREAS, a ballot title for such measure was prepared by the Attorney General in the following form, to-wit:

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

AND WHEREAS, no appeal has been taken from the action of the said Secretary of State in approving the sufficiency of said petition or from the action of the Attorney General in preparing said above set forth ballot title,

NOW THEREFORE, I, C. N. Haskell, Governor of the State of Oklahoma, by virtue of the authority vested in me by the Constitution and laws of said State, do hereby proclaim that the substance of said measure is as hereinbefore set forth, and that the date of the referendum vote thereon will be on the first Tuesday after the first Monday in November, 1908, being the day of the regular State election, to-wit: on the third day of November, A.D.1908.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause the Great Seal of the State of Oklahoma to be hereunto affixed this, the 24th day of July, in the year of our Lord, one thousand, nine hundred and eight, and of the Independence of America, the one hundred thirty third.

C. N. Haskell

Governor.

ATTEST:

Geo. Cross

Secretary of State.

UNITED STATES OF AMERICA. ; SS
STATE OF OKLAHOMA. ;

OFFICIAL CANVASS OF THE VOTE GIVEN OF STATE QUESTION NO. 5.

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

Ballot Title.

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

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

YES. ☐
NO. ☐

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

Total number of Electors voting at such election.	207, 585
Total number of electors voting yes,	96, 745
Total number of electors voting no,	110,840
Majority against said proposition	14, o95

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

Bill Cross
Secretary of State
By Geo. Meyer
Asst. Secretary of State.

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

C. N. Haskell
Governor.

December, 3, 1908.

Voted on Nov. 3rd 1908.

OFFICIAL PAMPHLET OF

STATE QUESTIONS

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

TABLE OF CONTENTS

Table No. 1–Agency System — Page

- Sample Ballot 2
- Copy of Provision 2
- Argument 4

Question No. 2–Torrens' Land System

- Sample Ballot 7
- Copy of Resolution 7
- Argument 7

Question No. 3–Location of Capital

- Sample Ballot 9
- Copy of Resolution 9
- Argument 10

Question No. 4–"New Jerusalem"

- Sample Ballot 10
- Copy of Resolution 10
- Argument 10

Question No. 5–Sale of School Lands

- Sample Ballot 12
- Copy of Proposed Law 12
- Argument 15

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

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

STATE QUESTION NO. 5 INITIATIVE PETITION NO. 1

The gist of the proposition is as follows:

The authorization of the sale of school and other public lands at auction, giving the lessee the right of acceptance of the land at the highest bid, limiting the sales to one hundred and sixty acres of land to the individual, allowing long term deferred payments at six percent interest and making the land taxable at the initial sale.

Vote---Yes.....96,745
No.....110,840

ACT REJECTED. Necessary to carry - - - - - - . 124,398

Under