

Filed Jan. 6th 1910
38,543 names.

9

STATE QUESTION No. 8

INITIATIVE PETITION No. 3

WARNING

"It is a felony for anyone 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."

Amendment to the Constitution of the State of Oklahoma:

Proposition to amend Section One (1), of Article Three (3), of the Constitution of the State of Oklahoma, by striking therefrom the word "male."

Guthrie, Oklahoma
January Sixth, 1910.

Received from J. Luther Langston, of Oklahoma City, one of the Petitioners, Initiative Petitions number Three proposing an Act entitled " An Act proposing an amendment to the Constitution of the State of Oklahoma, proposing to amend section 1 of Article 3 of the Constitution of the State of Oklahoma, by striking therefrom the word "Male"; said petitions were presented in pamphlets as provided by law, and the same were offered for filing and filed in the Office of the Secretary of State of Oklahoma in the presence of the Governor and in the presence of the said J. Luther Langston the petitioner offering the same; and in the presence of the Governor, and the said Petitioner, the sheets containing the signatures and affidavits were detached from the pamphlets, and attached to one or more printed copies of the measures so proposed by said Initiative Petition; that the said Initiative Petition was presented and filed by the said J. Luther Langston contained Thirty eight thousand five hundred and forty three (38543) petitioners: That the said petitions are in all respects as required by law, and that the warning printed thereon is as required by law.

Secretary of State.

copy of

Receipt given

to J. J. J. J.

Longdon

for the purpose

of the purchase

of the land

and

Jan. 6-1910

In the Matter of INITIATIVE PETITION
No. 3, STATE QUESTION No. 8.

BEFORE THE HONORABLE BILL CROSS, SECRETARY
OF STATE, OF THE STATE OF OKLAHOMA.

OBJECTIONS and PROTEST of Robert M. Raddie.

Now comes Robert M. Raddie, and represents and alleges:

1. That he is a citizen and legal voter of Ada, in the County of Pawnee, State of Oklahoma.
2. That the pretended Initiative Petition No. 3 offered for filing in the office of the Secretary of State of the State of Oklahoma, for the purpose of initiating a proposition to amend Section 1, of Article 3, of the Constitution of the State of Oklahoma, by striking therefrom the word "male" is insufficient in that it has not a sufficient number of legal voters signed thereto to initiate a proposition to amend the Constitution as provided by law. That the said pretended initiative petition is not signed by a sufficient number of legal voters to initiate a proposition to amend the Constitution, and your objector and protestor alleges the fact to be that more than five thousand of the names attached to said pretended initiative petition are not legal voters of the State of Oklahoma, or of any precinct therein. That he is informed and believes, and alleges the fact to be that more than twenty-

five per cent. of the signatures attached to the said pretended initiative petition were not signed by the persons whose names such signatures purported to be, but were signed by other persons, and the authority for such signatures does not appear attached to said petition, or otherwise.

That the said pretended initiative petitions are not, and when offered for filing were not, in the form prescribed by law.

That said proposed amendment was not set forth as a part of the petition to the Governor of the State of Oklahoma, as required by law, and the said petition to which signatures are attached did not have set forth therein the said proposed amendment.

That one of the pretended pamphlets to which signatures were attached is hereto attached, marked for identification "Exhibit A", is referred to, and made part of his protest.

That the said proposed amendment did not have attached thereto the signatures of any legal voters of the State of Oklahoma, or of any precinct therein.

For the reasons aforesaid, Robert M. Roddie protests against the sufficiency of said pretended initiative petition, and objects to an election being called thereunder, and asks that a time be set by the Honorable Secretary of State of the State of Oklahoma for a hearing on said petition and this his protest and his objections to said pretended initiative petition.

Robert M. Roddie

Protestor and Objector.

State of Oklahoma,)
Logan County,) SS:

Robert M. Raddie, of lawful age,
being first duly sworn, deposes and says that he is the
objector and protestor in the above and foregoing protest
and objections to the sufficiency of initiative petition
No. _____; that he has read the above and foregoing,
and knows the contents thereof, and that each, all, and
every of the statements therein contained are true in
substance and in fact as he is informed and verily
believes.

Robert M. Raddie

SUBSCRIBED in my presence, and sworn
to before me, this 11th day of January, 1910.

Alfretta Jennings
Notary Public.

My commission expires March 26-1912.



No. _____

In the matter of
Initiative Petition
No. 3 State
Question No. 8

Before the Honorable
Bill Cross, Secretary
of State, of the State
of Oklahoma.

OBJECTIONS and PROTEST
of _____

Filed

*Jan. 11th. 3 P M
1910*

*Bill Cross
Secretary*

In the Matter of INITIATIVE PETITION
No. 3, State Question No. 3.

BEFORE THE HONORABLE BILL CROSS, SECRETARY
OF STATE, OF THE STATE OF OKLAHOMA.

OBJECTIONS and PROTEST of Ruben M. Robbins.

Now comes Ruben M. Robbins, and represents and
alleges:

1. That he is a citizen and legal voter of
Ada, in the County of Pontotoc, State of Oklahoma.
2. That the pretended Initiative Petition
No. 3 offered for filing in the office of the Secretary
of State of the State of Oklahoma, for the purpose of
initiating a proposition to amend Section 1. of Article
3, of the Constitution of the State of Oklahoma, by
striking therefrom the word "male" is insufficient in
that that it has not a sufficient number of legal voters —
signed thereto to initiate a proposition to amend the
Constitution as provided by law. That the said pretended
initiative petition is not signed by a sufficient number
of legal voters to initiate a proposition to amend the
Constitution, and your objector and protestor alleges
the fact to be that more than five thousand of the names
attached to said pretended initiative petition are not legal
voters of the State of Oklahoma, or of any precinct therein.
That he is informed and believes, and alleges the fact to
be that more than twenty-five per cent. of the signatures

attached to the said pretended initiative petition were not signed by the persons whose names such signatures purported to be, but were signed by other persons, and the authority for such signatures does not appear attached to said petition, or otherwise.

That the said pretended initiative petitions are not, and when offered for filing were not, in the form prescribed by law.

That said proposed amendment was not set forth as a part of the petition to the Governor of the State of Oklahoma, as required by law, and the said petition to which signatures are attached did not have set forth therein the said proposed amendment.

That one of the pretended pamphlets to which signatures are attached is hereto attached, marked for identification "Exhibit A", is referred to, and made part of this protest.

That the said proposed amendment did not have attached thereto the signatures of any legal voters of the State of Oklahoma, or of any precinct therein.

For the reasons aforesaid, Reuben M. Roddie protests against the sufficiency of said pretended initiative petition, and objects to an election being called thereunder, and asks that a time be set by the Honorable Secretary of State of the State of Oklahoma for a hearing on said petition and this his protest and his objections to said pretended initiative petition.

Reuben M. Roddie.

Protector and Objector.

2

3

4
May 1900

State of Oklahoma.)
Logan County,) SS:

Reuben M. Roddie, of lawful age, being first duly sworn, deposes and says that he is the objector and protestor in the above and foregoing protest and objections to the sufficiency of initiative petition No. 6; that he has read the above and foregoing, and knows the contents thereof, and that each, all, and every of the statements therein contained are true in substance and in fact as he is informed and verily believes.

Reuben M. Roddie.

S U B S C R I B E D in my presence, and sworn to before me, this 11th day of January, 1910.

Alfaretta Jennings.

Notary Public.

My commission expires March 26, 1912.

SEAL.

(Endorsed)

No. In the matter of Initiative Petition of
No. 3, State Question No. 8.

Before the Honorable Bill Cross, Secretary of
State, of the State of Oklahoma.

Objections and Protests of _____.

Filed Jan. 11th 3 P. M. 1910.

Bill Cross,
Secy.

"EXHIBIT A"

"Male"

STATE QUESTION No. 8

INITIATIVE PETITION NO. 3

WARNING

"It is a felony for anyone 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."

"EXHIBIT A".

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

We, the undersigned citizens and legal voters of the State of Oklahoma, and of the County of _____, respectfully order, that the following amendment to the Constitution of the State of Oklahoma, 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 of November, A. D. 1910, or at a special election to be called at the discretion of the Governor; 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 _____, of the City of _____; my residence and postoffice are correctly written after my name. The time for filing this petition expires nine months from the tenth day of April, 1909. The question we herewith submit to our fellow voters is, "Shall the following proposed amendment to the Constitution be adopted?"

NAME.	RESIDENCE. City, Town or Twp.	POSTOFFICE ADDRESS.
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

State of Oklahoma, County of _____, ss.

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

signed this sheet of the foregoing petition, and each of them signed his name
thereto in my presence; I believe that each has stated his name, postoffice
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 _____

(Signature) _____

(P. O. Address) _____

Subscribed and sworn to before me this _____ day
of _____, A. D. 1909.

Notary Public.

My commission expires _____

Amendment to the Constitution of the State of Oklahoma:

Proposition to amend Section One (1), of Article Three (3), of the Constitution of the State of Oklahoma, by striking therefrom the word "male."

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

Sec. 1. That Section One, of Article Three, of the Constitution of the State of Oklahoma, which now reads and provides as follows, to-wit:

"Sec. 1. The qualified electors of the State shall be male citizens of the United States, male citizens of the State, and male persons of Indian descent native of the United States, who are over the age of twenty-one years, who have resided in the State one year, in the County six months, and in the election precinct thirty days, next preceding the election at which any such elector offers to vote: Provided, That no person adjudged guilty of a felony after the adoption of this Constitution, subject to such exceptions as the Legislature may prescribe, unless his citizenship shall have been restored, in the manner provided by law; nor any person while kept in a poor-house or other asylum at the public expense, except Federal and Confederate ex-soldiers; nor any person in a public prison, nor any idiot or lunatic, shall be entitled to vote at any election under the laws of this State."

Be and the same is hereby amended to read and provide as follows, to-wit:

Sec. 1. "The qualified electors of the State shall be citizens of the United States, citizens of the State, and persons of Indian descent native of the United States, who are over the age of twenty-one years, who have resided in the State one year, in the County six months, and in the election precinct thirty days, next preceding the election at which any such elector offers to vote: Provided, That no person adjudged guilty of a felony after the adoption of this Constitution, subject to such exceptions as the Legislature may prescribe, unless his citizenship shall have been restored, in the manner provided by law; nor any person, while kept in a poor-house or other asylum at the public expense, except Federal and Confederate ex-soldiers; nor any person in a public prison, nor any idiot or lunatic, shall be entitled to vote at any election under the laws of this State."

BEFORE HON. BILL CROSS, Secretary of State.

In the matter of the protest of
Hon. ~~Rubon~~ ^{State Senator No 5} M. Roddie, against Initiative
Petition No. 3.....

Comes now the petitioners in the above
matter, and for answer to said remonstrance, deny each
and every allegation therein, and demand strict proof
thereof.

[Handwritten signature]

State of Oklahoma,
Oklahoma County, S.S.

We whose names are hereto set, ~~and~~
each being duly sworn, ^{or affirmed} each on oath for themselves
declare, that each one of said affiants, were actively
engaged in the circulation of the petitions, referred to
in the so called affidavit of ~~Rubon~~ M. Roddie, and in the
management of the work of getting signatures to said
petitions, and we are not informed, but from such
work and management thereof, ^{and that we can say and do say,} that the frauds charged in
said protest are not true, and we know that the greatest
care was taken to avoid all possible fraud and signing of
said petitions, by any persons, other than fully qualified
voters, of the State of Oklahoma, and we are each one of
us well qualified to know whereof we testify.

Adelia G. Stephens
Anna Laskey

Edith Barber
Ruth A. Gay

Subscribed and sworn to before me this the 22nd day of
January 1910.

My Commission Expires July 31, 1910.

M. G. Meister
Notary Public

Wm. H. H. H. H.
Wm. H. H. H. H.
Wm. H. H. H. H.
Wm. H. H. H. H.

Answers to Objections
on Pet # 3
Filed Jan 24 1910

Office of the Secretary of State. Guthrie, Oklahoma, Jan'y, 25th, 1910.

This is the day set for the hearing on the Remonstrance of Senator Roddie to the initiated petition on State Question number eight, otherwise known as the "suffrage petition".

The petitioners are present by J. Luther Langston, and their attorneys and the remonstrator, Hon. Reuben Roddie, is present in person. The petitioners asked leave to withdraw their verified reply or answer to the remonstrance and to file in its stead a motion to dismiss the remonstrance and after hearing arguments of counsel it is ordered that the request be granted and the verified reply or answer of the petitioners filed January 24th, 1910, is now withdrawn and a motion to dismiss the remonstrance is filed by the petitioners.

The remonstrator now asks for a continuance in order to prepare his case for the hearing, but files no written application for the same. This application for a continuance is opposed by the petitioners and the matter is fully argued to the Secretary. And the Secretary desiring to be further informed on the subject and to have time to consider the same further does now adjourn the hearing until two o'clock P.M. of this day.

The hour of two o'clock, P.M. having arrived the above entitled matter is up for determination.

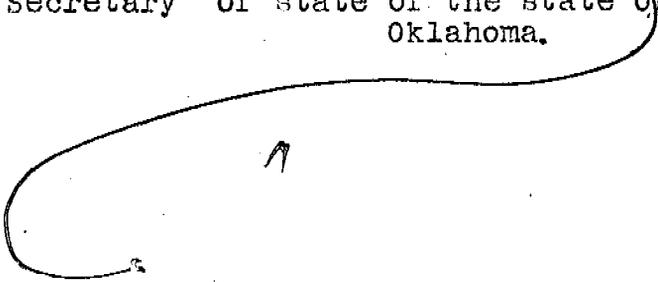
The Secretary being fully advised in the premises finds that the petition containing 38543 names, duly verified and in due and proper form, was filed in this office on the 6th day of January, 1910, and that in strict conformity to law ^{the names} were detached and have been bound into eight volumes. ~~XXXXXXXXXXXX~~ That on the 11th day of January, 1910, the remonstrator filed his objections to the sufficiency of said petition and the hearing on the same was set for this day; that all the parties in interest are before me at this time and being fully advised I find that the application for a continuance should be and the same is hereby

more than enough signers on said petition as determined by the votes cast at the last general election and that said petition is in conformity to the requirements of law and that the remonstrance is insufficient in law and that the remonstrator is not ready to prove the allegations in said remonstrance contained, altho this is the date heretofore regularly set for the hearing, and all and singular being fully satisfied as to the legality and sufficiency of the said petition I do hereby decide that the said petition is in due form of law and amply sufficient in all things and that the said question thereby proposed should be certified to the Governor to the end that the same may be submitted to the electors of the state as is provided by law .

I therefore decide that the petition is sufficient; and that the remonstrance is insufficient in law to entitle it to any further consideration , inasmuch as no proof has been submitted and the continuance has been denied.

Let the remonstrance therefore be dismissed and let the petition stand as sufficient and let the proposed amendment be certified to the Governor as is provided by law.


Secretary of state of the state of
Oklahoma.



Decision given
by Sheriff of State
at Newburg
on Oct # 3
Jan 25th 1910

In the matter of INITIATIVE PETITION

No. 3, State Question No. 8.

Before the Honorable Bill Cross, Secretary of the State
of Oklahoma.

MOTION TO DISMISS REMONSTRANCE.

Comes now, the petitioner, in the above entitled matter and moves the Honorable Secretary of state to dismiss the objections and protests to Initiative petition No. 3, State Question No. 8, filed by Reubn M. Roddie on January 11, 1910, and to take such action in the premises as the law requires and as prayed for in the petition and for reasons state:

First: the said Remonstrance and Objection is insufficient in law to warrant the granting of the relief prayed for.

Second: That the said Remonstrance and Objection is not verified as required by law.

Third: That no bond for costs have been offered or filed in the office of the secretary of state by the Objector.

Fourth: That said remonstrance does not state facts sufficient to warrant the honorable secretary in granting relief prayed for.

Fifth: That said Petition on its face shows that the petitioners are entitled to have said Question certified to the Governor and placed upon the Official Ballot to be submitted to the electors of the State.

J. Luther Langston
for petitioner

J. H. Brown
O. S. Naylor

W. A. Robinson
for counsel

Index

June 25 1910

IN THE MATTER OF REUBEN M. RODDIE

VS

THE PETITION FOR THE SUBMISSION OF AN AMENDMENT
TO THE CONSTITUTION RELATIVE TO SUFFRAGE.

Honorable Bill Cross,

Secretary of State,

Guthrie, Oklahoma.

You are hereby notified that I appealed from your decision in overruling my motion for a continuance and at the same time rendering an opinion sustaining the petitions in toto.

Given under my hand this Twenty-ninth day of January, Nineteen Hundred and Ten.



Protestor.

Filed

Jan 29th 1910

Copy

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA.

In the Matter of the Objections and
Protest against Initiative Petition No. 1370.
No. 3.

(Filed May 31st, 1910.)

SYLLABUS BY THE COURT.

1. An order of the secretary of state holding an initiative petition, filed with him under the provision of the initiative and referendum to sufficiently comply with the requirements of the law, will not be reviewed here, when such petition is not made a part of the record in this court.

(a). It must affirmatively appear that the action of the secretary of state was erroneous before this court will disturb same, the presumption of law being in his favor.

2. The action of the secretary of state in overruling appellant's motion for a continuance, will not be disturbed on review here unless it affirmatively appears that he abused his discretion.

(a). Such does not affirmatively appear in this case from the record before us.

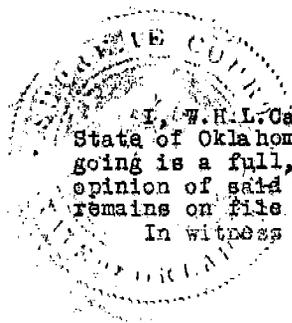
3. The appellant having alleged in his protest that the petition was signed by a less number of legal voters than is required by law, no evidence being in the record to sustain such allegation, the decision of the secretary of state thereon is presumed here to be correct.

APPEAL FROM THE ORDER OF THE SECRETARY OF STATE.

Ledbetter, Stuart and Bell, Reuben M. Roddie, For Appellant.

J. L. Brown and Patrick Nagle, For Appellees.

A F F I R M E D .



I, W. H. L. Campbell, Clerk of the Supreme Court of the State of Oklahoma, do hereby certify that the above and foregoing is a full, true and complete copy of the syllabus of the opinion of said court in the above entitled cause, as the same remains on file in my office.

In witness whereof, I hereto set my hand and affix the seal of said court, at Guthrie, this 16 day of June, 1910.

W. H. L. Campbell,
Clerk Supreme Court.

By W. M. Boone Deputy

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA.

UNITED STATES OF AMERICA, ⁹
State of Oklahoma. 0 ss.

M A N D A T E.

In the Matter of the Objections
and Protest against Initiative
Petition No. 3.

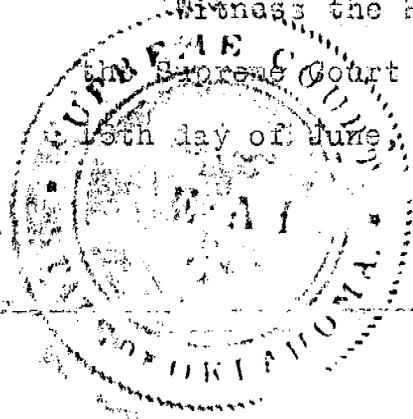
THE SUPREME COURT OF OKLAHOMA

To the Honorable Secretary of State of the State of
Oklahoma, GREETING:

WHEREAS, The Supreme Court of the State of Oklahoma
did at the May, 1910, Term thereof, on the 31st day of May,
1910, render an opinion in the above entitled cause, appealed
from an order of the Secretary of State of the State of
Oklahoma, affirming the order of said Secretary of State,

Now, therefore, you are hereby commanded to cause
this affirmation to be shown of record in your office, and
take such other and further proceedings herein as shall
accord with said supreme court opinion and right and justice.

Witness the Honorable Jesse J. Dunn, Chief Justice of
the Supreme Court of the State of Oklahoma, at Guthrie, this
15th day of June, 1910.



W. H. L. Campbell,
Clerk Supreme Court.

By *W. M. Bowen* Deputy

No. 1570

In the Matter of the Objec-
tions and Protest against
Initiative Petition No. 3

W A N D A I R.

STATE OF OKLAHOMA
LEGAL DEPARTMENT
GUTHRIE

CHARLES WEST, ATTORNEY GENERAL
EDWARD G. SPILMAN, ASSISTANT ATTORNEY GENERAL
GEORGE A. HENSHAW, ASSISTANT ATTORNEY GENERAL
WILLIAM C. REEVES, ASSISTANT ATTORNEY GENERAL
CHARLES L. MOORE, ASSISTANT ATTORNEY GENERAL

ADDRESS ALL COMMUNICATIONS TO
"THE ATTORNEY GENERAL" AND
REFER TO INITIALS

OW-W 226

Guthrie, Oklahoma, August 10, 1910.

To The

Secretary of State.

Sir:

I herewith transmit to you ballot title
as follows:

"BALLOT TITLE.

State Question No. 8, Initiative Petition No. 3.

The purpose of this amendment is to
authorize women to vote under the same circum-
stances and conditions as men may now do so un-
der the laws of this state, and this purpose is
effected by striking out the word "male" wherever
it exists as a limitation in Section 1 of Art-
icle 3 of the constitution of the state."

Three copies are enclosed, one for filing
in your office, one for service upon the person
offering or filing the petition, and one for your
acknowledgment of receipt thereon to be returned
to this office.

Respectfully,



Attorney General.

Enclosures 3

*Ballot
Title*

*Proposed
Amendment*

*Initiative
Petition*

*Proposed
Amendment*

*Initiative
Petition*

BALLOT TITLE.

STATE QUESTION NO. 8.
INITIATIVE PETITION NO. 3.

The purpose of this amendment is to authorize women to vote under the same circumstances and conditions as men may now do so under the laws of this state, and this purpose is effected by striking out the word "male" wherever it exists as a limitation in Section 1 of Article 3 of the constitution of the state.

Ballard
List

State Question
No 8

Publication Election
No 3

Received for
filing

August 11-1910

Thos. D. Smith
Secretary of State



~~CONFIDENTIAL~~

Oklahoma City, Okla. 8/20/1910.

Hon. C. M. Haskell, Governor,
Oklahoma City, Okla.

My Dear Sir:

Pursuant to the provisions of Section 8 of Chapter 44 Session Laws of 1907-8, I have the honor to advise you that there was filed in the office of the Secretary of State an Initiative Petition No. 3, entitled "proposition to amend Section 1 of Article 3, of the constitution of the State of Oklahoma by striking therefrom the word "male", 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 NO. 8,
INITIATIVE PETITION NO. 3.

"The purpose of this amendment is to authorize women to vote under the same circumstances and conditions as men may now do so under the laws of this state, and this purpose is effected by striking out the word "male" wherever it exists as a limitation in Section 1 of Article 3 of the constitution of the state."

Very truly yours,

Secretary of State.

Sept. 10, 1910.

Aug. 19, 1910.

Hon. G. N. Haskell, Governor,

Oklahoma City, Okla.

My Dear Sir:

Pursuant to the provisions of Section 8 of Chapter 44 Session Laws of 1907-8, I have the honor to advise you that there was filed in the office of the Secretary of State an Initiative Petition No. 3, entitled "proposition to amend Section 1 of Article 3, of the constitution of the State of Oklahoma by striking therefrom the word "male", 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 NO. 8,
INITIATIVE PETITION NO. 3.

"The purpose of this amendment is to authorize women to vote under the same circumstances and conditions as men may now do so under the laws of this state, and this purpose is effected by striking out the word "male" wherever it exists as a limitation in Section 1 of Article 3 of the constitution of the state."

Very truly yours,

Secretary of State.

State Question No. 8

Initiative Petition No. 3

The gist of the proposition is as follows:

To authorize women to vote under the same circumstances and conditions as men may now do under the laws of this State, and this purpose is effected by striking out the word "male" wherever it exists as a limitation in Section 1 of Article 3 of the Constitution.
Shall the Amendment be adopted?

Vote: Yes 88,808
 No 128,928

Amendment Rejected