An Act

To Joint Resolution To Submit To The People Of The State At A Special Election To Be Held For That Purpose On The First Tuesday In August, 1916, An Amendment To Article 3 Of The Constitution, And To Be Designated As Section 3-0. Of Article 11, Of The Constitution Of The State, Relating To The Qualifications Of Eligible And Incidental To The Submission Of Said Proposed Amendment To The People Of The State For Approval Or Rejection, And Declaring An Emergency.

As it Enacted By The People Of The State Of Oklahoma:

Section 1. That the following amendment to Article 3 of the Constitution of the State of Oklahoma, to be designated as Section 3-0. of Article 3 of the Constitution of the State of Oklahoma, is hereby proposed, and to be submitted to the people of the State of Oklahoma for their approval or rejection as hereinafter set forth, viz: Amended Article 3 by adding an additional section to be known as Section 3-0 of Article 3 of the Constitution of the State of Oklahoma, as follows:

Section 3-0. No property qualification shall ever be imposed as a requisite or qualification for voting in this State, and any other qualification or qualification for registration or voting which may hereafter be prescribed by the Legislature of the people of this State shall conform to the Constitution of the United States, and the amendments thereto, and the right of any citizen of this State to vote shall ever be denied or abridged on account of race, color, or previous condition of servitude. No person shall be registered as an elector of this State or be allowed to vote, or be eligible to hold office under the Constitution and laws of this State unless he be able to read and write any sectin of the Constitution of the State of Oklahoma, but no person after
to the adoption of this provision, served in the land or naval forces of the United States in the war with Mexico, or on either side in any war with the Indian Tribes located within the United States, or on either side in the Civil War, or in the National Guard or Militia of any State or Territory of the United States, or in the land or naval forces of any foreign nation, and all lawful descendants of any such person, and of those that served on the side of the Colonists in the American Revolution and in the land or naval forces of the United States in the war of 1812, or any person prevented by physical disability from complying with such test shall be denied the right to register and vote because of his inability to read and write any section of such Constitution. An election inspector or other officer having in charge the registration of electors shall enforce the provisions of this section at the time of registration, provided registration be dispensed with, the provisions of this section shall be enforced by the presiding election officer when electors apply for ballots to vote, provided that it is intended that no part of this provision or section shall conflict with the provisions of the Constitution of the United States, and shall accordingly be adopted and become effective.

Section 2. It shall be the duty of the Secretary of State to rule said proposed amendment to the people at a special election to be held throughout the State on the first Tuesday in August, 1916, and such special election is hereby ordered for such purpose.

Section 3. Said proposed Constitutional Amendment shall be referred by the Secretary of State to the people at such special election for their approval or rejection. The Secretary of State shall cause an attested copy of said proposed amendment as printed by the act to be printed in the record of the State Election Board, together with a certificate of said fact that said amendment was printed by said joint resolution of the Legislature, setting forth such resolution. Said proposition shall be caused to be printed in the State Election Board as may be printed by law. In said special election to be held on the first Tuesday in August, 1916, the electors qualified at that time to vote at any election in the State may vote on said amendment. It shall be the duty of the proper officials to cause to be printed, explanatory.
and independent ballot, or on any ballot on which Constitutional
Amendments or other propositions submitted by the Legislature
to the people for approval or rejection may be placed the form of
the ballot to be used are described by law, the following shall be

"Provision prohibiting property qualification. But
imposing literacy test for electors, excepting those who served in
any of many of the United States in war with Mexico, or on either
side in war with certain Indian Tribes, or on either side in Civil
War, or in war with Spain, or of any foreign nation, or in National
Defense or Military of any state and all lawful descendants of such
persons and of those that served on the side of the Colonies in
American Revolution and in War of 1812, and those prevented by
physical disability from complying with such test."

And following said title shall be printed thereon:
"This Amendment," which words shall be in a separate paragraph at
least one-fourth of an inch below such title. Said words shall have
no distinguishing marks about them.

Any elector desiring to vote for said amendment
shall have said words intact upon the said ballot without crossing
same, and any elector desiring to vote against said amendment shall
evidence his intention to so vote by crossing or marking out said words
with a pencil mark. The crossing of said words upon said ballot
shall be taken as a favorable vote or a vote for approval, and the
striking out of said words shall be taken as an adverse vote or a
vote for the rejection of the same.

Section 4. The votes given upon said amendment to
the Constitution are to be counted and estimated in the same
manner in all respects as may be otherwise by law for such pugees,
and the result is to be so ascertained and returned and declared.
Section 5. It being immediately necessary, for the preservation of the public peace, health and safety, an emergency is hereby declared to exist by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed by the Senate February 14, 1916.

J.P. Mitchell
President of the Senate.

Passed by the House of Representatives, February 18, 1916.

C. W. Williams
Speaker of the House of Representatives.

Approved Feb. 21st, 1916.

R.L. Halley
Governor of the State of Oklahoma.
SENATE JOINT RESOLUTION No. 6  APPROVED FEBRUARY 21, 1916.

-----BALLOT TITLE-----

"Proposition prohibiting property qualification, but imposing literacy test for electors, excepting those who served in army or navy of the United States in war with Mexico, or on either side in wars with certain Indian tribes, or on either side in Civil War, or in war with Spain, or of any foreign nation, or in National Guard or militia of any State, and all lawful descendants of such persons and of those that served on the side of the Colonies in American Revolution and in War of 1812, and those prevented by physical disability from complying with such test."

** **

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

Section 1. That the following amendment to article 3 of the Constitution of the State of Oklahoma, to be designated as section 3-a, of article 3 of the Constitution of the State of Oklahoma, is hereby proposed, and to be submitted to the people of the State of Oklahoma for their approval or rejection as hereinafter set forth, viz: Amend said article 3 by adding an additional section, to be known as section 3-A of article 3 of the Constitution of the State of Oklahoma, as follows:

**Sec. 3-A. No property qualification shall ever be imposed as a requisite for registration or voting in this State, and any other qualification for registration or voting which may hereafter be prescribed by the Legislature or the people of this State shall conform to the Constitution of the United States, and the amendments thereto, and the right of no citizen of this State to vote shall ever be denied or abridged on account of race, color or previous condition of servitude.

"No person shall be registered as an elector of this State or be allowed to vote, or be eligible to hold office under the Constitution and laws of this State unless he be able to read and write any section of the Constitution of the State of Oklahoma, but no person who, prior to the adoption of this provision, served in the land or naval forces of the United States, or in the war with Mexico, or on either side in any war with the Indian tribes located within the United States, or
on either side in the Civil War, or in the National Guard or militia of any State or Territory of the United State, or in the land or naval forces of any foreign nation, and all lawful descendants of any such person, and of those that served on the side of the Colonies in the American Revolution, and in the land or naval forces of the United States in the War of 1812, or any person prevented by physical disability from complying with such test, shall be denied the right to register and vote because of his inability to so read and write any section of such Constitution. Precinct election inspectors or other officers having in charge the registration of electors, shall enforce the provisions of this section at the time of registration, provided registration be required. Should registration be dispensed with, the provisions of this section shall be enforced by the precinct election officers when electors apply for ballots to vote; provided, that it is intended that no part of this provision or section shall conflict with the provisions of the Constitution of the United States, and shall accordingly be adopted and become effective.'

Sec. 2. It shall be the duty of the Secretary of State to refer said proposed amendment to the people at a special election to be held throughout the State on the first Tuesday in August, 1916, and such special election is hereby ordered for such purpose.

Sec. 3. Said proposed constitutional amendment shall be referred by the Secretary of State to the people at such special election for their approval or rejection. The Secretary of State shall cause an attested copy of said proposed amendment so proposed by this Act or Joint Resolution to be filed with the Chairman of the State Election Board, together with a certificate of the fact that said amendment was proposed by Act or Joint Resolution of the Legislature, setting forth such resolution. Said proposition shall be caused to be printed by the State Election Board as may be provided by law. In said special election to be held on the first Tuesday in August, 1916, the electors qualified
at that time to vote at any election in the State may vote on said amendment. It shall be the duty of the proper officials to cause to be printed on a separate and independent ballot, or any ballot on which Constitutional Amendments or other propositions submitted by the Legislature to the people for approval or rejection may be placed, the form of the ballot to be that as prescribed by law, the following ballot title:

"Proposition prohibiting property qualification, but imposing literacy test for electors, excepting those who served in army or navy of the United States in war with Mexico, or on either side in wars with certain Indian tribes, or on either side in Civil War, or in war with Spain, or of any foreign nation, or in National Guard or militia of any State and all lawful descendants of such persons and of those that served on the side of the Colonies in American Revolution and in War of 1812, and those prevented by physical disability from complying with such test."

And following said title shall be printed the words, "For the Amendment," which words shall be in a separate paragraph at least one-fourth of an inch below such title. Said words shall have no distinguishing marks about them.

Any elector desiring to vote for said amendment shall leave said words intact upon the said ballot without erasing same, and any voter desiring to vote against said amendment shall evidence his intention to so vote by erasing or marking out said words with a pencil mark. The leaving of said words upon said ballot shall be taken as a favorable vote or a vote for approval, and the striking out of said words shall be taken as an adverse vote or a vote for the rejection of the same.

Sec. 4. The votes given upon said amendment to the Constitution are to be counted and estimated in the same manner in all respects as may be otherwise provided by law for such purpose,
and the result is to be so ascertained and returned and declared.

Sec. 5. It being immediately necessary for the preservation
of the public peace, health and safety, an emergency is hereby
declared to exist by reason whereof this Act shall take effect
and be in full force from and after its passage and approval.
This argument is presented on behalf of the Joint Committee appointed by the Legislature for that purpose and consisting of,

Senator Chas. F. Barrett, Senator C. N. Board,
" M. S. Blasingame, " J. T. Sutherland
" N. L. Davidson, " Geo. Fields,
" T. H. Davidson. and

W. A. Durant, Tom Hunter, J. J. Clark, W. S. Barry,
W. E. Long, W. M. Duffey, A. B. Ball, L. E. Bryant, Kelly
Brown, R. L. Peebly and T. G. Wikes of the House.
ARGUMENT.

A careful reading of the foregoing proposed amendment must convince every man and woman who values the rights and privileges of citizenship, that it is a wise and desirable provision, and that it puts a proper, reasonable and much needed protection around the privileges of the ballot.

Our government, both state and national, is founded on the principles of law. The rights of the people are conserved and set forth in a written constitution and a written code of laws. The delegated powers of government are specifically set forth in this constitution. The duties and privileges preserved to the citizen are likewise written into the provisions of this fundamental charter, and the laws made in conformity to its provisions.

This amendment, with certain exemptions, provides that a voter in order to exercise the privilege of voting shall be able to read and write any section of this constitution.

The theory of our Democratic form of government is that the sovereign power belongs to and reposes in the people, a majority of whom can make new laws, repeal the old ones, and abrogate or add to the fundamental provisions of the constitution itself. This theory presumes that the elector shall possess sufficient intelligence to understand the laws and principles of the constitution by which he is governed. In the earlier history of the country one of the usual qualifications required of a voter was that he should possess property of a certain amount before he was entitled to that privilege. Some of the older states still have the property qualifications for voting. In the view of the progressive democracy of Oklahoma, this requirement of a property qualification for voting would be an unjust discrimination against the thousands of citizens who are mentally and morally competent and qualified to vote. Therefore, the first provision of this amendment prohibits any future
legislature from imposing upon the voters of the state a property qualification. The amendment also specifically provides that no qualification for registration or voting may hereafter be prescribed by the legislature or the people of this state unless it shall conform to the constitution of the United States, and the amendments thereto, and it says further that the right of any citizen of this state to vote shall never be denied or abridged on account of race, color or previous condition of servitude.

Certainly no clearer, more democratic, or more desirable proposition was ever put forward as a fundamental declaration by the people of any state, especially when a statute has been in force in this state since statehood requiring compulsory education which has been enforced with ample common school facilities, and so much has been done through moonlight schools. It would seem that the most bitter partisan, whose hopes of future victory have been buoyed up by the belief that through the agency of the ignorant, illiterate, vicious and corrupt electors success might be had, would recognize the folly and uselessness of opposing its adoption.

The men or the party that seriously attempts to defeat this amendment are forced to become the champions of ignorance, illiteracy, and the vice and corruption that are always involved in the effort to control and exploit with the ignorant vote. By opposing the Amendment they are forced to stand for the power of future legislatures to impose property qualifications, poll tax payments and other vicious restrictions on the right to vote. They also say by their attitude that they favor election laws which do not conform to the constitution of the United States or the amendments thereto, except as partisan purposes favorable to them are promoted. The supporters and advocates of this amendment, can afford to submit with confidence their position to the decision of the intelligent, law-abiding voters of the state, and when this issue and the provisions of the amendment are fully understood by the voters, of Oklahoma, there
should be no fear that the amendment will not be adopted.

The exceptions to the literacy test are based upon either personal service to the state, or the republic, or organized government or such service by an ancestor as a patriot in upholding liberty and law, and aiding in the advance of civilization. This provision should appeal with convincing force to every son and daughter of the American Revolution; to every member of the Grand Army and his descendants; to every Confederate Veteran and his descendants and to every Spanish American veteran, every member of the National Guard and state militia and every survivor or descendant of Indian, Mexican or foreign wars. The test imposed by this amendment puts a premium upon education, intelligence, good citizenship and patriotism. The exceptions to its provisions give recognition to the patriotism and love of country which have been exhibited by the voter or by his forefathers, by service for his country.

That Abraham Lincoln favored such a provision is evidenced by his famous letter to Governor Kahn of Louisiana, in which he said:

"Executive Mansion,
March 13, 1864.

My dear Sir:

I congratulate you on having fixed your name in history as the first free state governor of Louisiana. Now you are about to have a convention, which among other things, will probably define the elective franchise. I barely suggest for your private consideration, whether some of the colored people may not be let in— as, for instance, the very intelligent, and especially those who have fought gallantly in our ranks. They would probably help, in some trying time to come, to keep the jewel of liberty within the family of freedom. But this is only a suggestion, not to the public, but to you alone.

Yours truly,
A. LINCOLN."

This amendment should be adopted in the interest of patriotism, intelligence and wise government.
To the Secretary of State,

City.

Dear Sir:

Receipt is acknowledged of your communication enclosing copies of joint resolutions passed by the Legislatures of 1915 and 1916, proposing amendments to the Constitution of the State, together with proposed ballot titles for the submission of such proposed amendments and requesting this office in the event such ballot titles are not approved, to prepare ballot titles to conform to each of such proposed amendments. We submit herewith ballot titles to be used by you in the submission of these amendments as follows:

S.C. 22 SENATE JOINT RESOLUTION OR BILL #6, THE 1916 LEGISLATURE.

To this proposed amendment the Legislature has prescribed a ballot title in Section 3 of said resolution, which ballot title must be used in the submission of this proposed amendment and also in connection with the preparation of this ballot the form prescribed by the Legislature must be strictly followed.
To this resolution the following ballot title is adopted:

The gist of this proposition is to repeal section 12a of article 10 of the Constitution, which section provides that all taxes collected for the maintenance of the common schools of the state and which are levied upon the property of any public service corporation operating in more than one county in the state shall be paid into the common school fund and distributed as are other common school funds of the state.

For this proposed amendment the following ballot title is prepared:

An amendment abolishing county court and vesting jurisdiction of county court, including probate matters, in district court; district court to have original jurisdiction in all civil and criminal matters whatever, except where Legislature hereafter confers exclusive jurisdiction on some other court; clerk of district court appointed by and holding at pleasure of judge and to exercise such judicial power as Legislature may provide; district judge ineligible to become candidate for office during his term except to succeed himself. Amendment to become effective second Monday of January, 1917.

The following ballot title is prepared to be used in connection with the submission of Senate Joint Resolution No. 13, Approved March 11, 1915:

Proposed amendment to Constitution providing for consolidation of supreme and criminal court of appeals, as now constituted, with an additional justice, and as consolidated to be known as the Supreme Court of Oklahoma. Said court to sit in divisions of at least three justices; one Criminal Division to which appeals in criminal cases shall be taken; authorizing Legislature to provide for nomination and election and may reduce or increase the number of justices of said court and change the districts; appeals to be limited; relates also to rules of practice, decisions and organization of the court.
SENATE JOINT RESOLUTION #22, APPROVED MARCH 11, 1915

The ballot title is as follows:

Proposed amendment to Section 19, Article 2, Constitution, providing that juries in courts of record other than county court, shall consist of 8 men, except in capital cases to consist of 12 men; juries in county court and courts not of record to consist of 6 men; in all civil cases and criminal cases less than felonies, three-fourths of jury may render verdict; also that Legislature may provide for rendering final judgment in the appellate court without remanding cause for retrial by jury as to the facts.

SENATE JOINT RESOLUTION #20, APPROVED MARCH 30, 1915.

The ballot title is as follows:

Proposed amendment to Section 27, Article 10, Constitution relating to limitations upon indebtedness of incorporated cities and towns, limits such municipalities as to indebtedness in addition to the amount allowed under Section 26, Article 10, Constitution, to only 5 per cent of the assessed valuation of the property therein, for the purpose of purchasing, constructing or repairing municipally-owned public utilities; such additional indebtedness to be authorized by assent of three-fifths of the qualified, property-taxpaying voters at an election, and this limitation not to include indebtedness incurred under Section 27, Article 10, prior to adoption of this amendment.

SENATE JOINT RESOLUTION #27, APPROVED MARCH 30, 1915.

The ballot title is as follows:

This proposed amendment to the Constitution reduces the salary of the Clerk of the Supreme Court to $2500.00 instead of $3000.00 as now provided; clerk to be appointed by the Supreme Court; and constitutes the clerk ex officio clerk of any other appellate courts in the state; amendment to be effective second Monday in January, 1919.

HOUSE JOINT RESOLUTION #1, APPROVED MARCH 30, 1915.

The ballot title is as follows;
Proposed amendment to Section 7, Article 23, Constitution, authorizing the Legislature to provide for compulsory or elective compensation by the employer to the employee in case of death, permanent or partial disability and to create the machinery for the administration of such workmen's or employees' compensation fund.

HOUSE JOINT RESOLUTION #17, APPROVED MARCH 30, 1915.

The ballot title is as follows:

Proposed amendment to Section 21, Article 10, of the Constitution creating a state tax commission of three members to adjust or assess and equalize the valuation of real and personal property between counties and assess all railroad and public service corporation property and to exercise such other powers relating to taxation as may be prescribed by the Legislature. Abolishes State Board of Equalization as now constituted.

Very truly,

For the Attorney General,

[Signature]

Assistant Attorney General.
The literacy or educational test amendment to the constitution proposed by the legislature, subject to a vote of the people in the August primary is in direct conflict with the spirit of American institutions.

The plain purpose of the proposed literacy test amendment to the constitution is to make it possible for the precinct registrars, appointed by the state administration, to have a legal excuse for disfranchising whatever number of voters it may be necessary to disfranchise, in order to keep in power the combination of men who at present rule this state. Supporters of this amendment claim that it will serve only to disfranchise the illiterate negroes, of whom there are about seven thousand. But the proposed constitutional amendment states very plainly that it may be applied to all voters regardless of race or color. This means that everybody's right to vote will be passed upon by the precinct registrar. If at any time a man does not vote to suit the administration, whether in a primary or in a general election, the county registrar may, under the registration law, have that man's name stricken from the list of voters, on the ground that the registrar is not sufficiently satisfied that the man is a soldier or the son of a soldier and that the voter can not read to the satisfaction of the registrar. Always provided that this proposed literacy test amendment is ratified in the August primary.

There are in Oklahoma, according to the census, 28,707 men of voting age, who cannot read or write. By the way, the number of illiterate negroes is 7,396. Of the white illiterates all but two thousand are natives, and many of them were born in the territory comprising the state of Oklahoma. The fact that they were not, in their youth taught to read and write is a reflection on the state
which failed to enforce its compulsory education laws. And yet, many of these men are intelligent, prosperous and patriotic citizens and well qualified to vote with discrimination.

If the literacy test amendment is adopted, then, under the registration law, everybody will have to register again in September 1916. At that time he must be able to satisfy the precinct registrar that he is entitled to a certificate of registration.

Under the proposed literacy test amendment, any one who has served in the land or naval forces of any nation, state or territory, or of any Indian tribe, or who is a lawful descendant of any such person, need not be able to read and write in order to be entitled to vote. Always provided, however, that he can prove to the satisfaction of the registrar that he is a soldier or a descendant of a soldier, so to speak. All others may be required, by the registrar, to read and write "any" section of the constitution, if the literacy test amendment is ratified in August.

Supporters of this amendment claim that the applicant for a certificate of registration need, in that case, only read or write a few words of the constitution; but the proposed constitutional amendment does not read that way. Under its provisions, a man desiring to register could be required "to read and write any section of the constitution", say for instance Section 3 of Article 17 which covers nineteen pages of the Revised Statutes. This test would have to be passed to the entire satisfaction of the registrar. A humorous, nay, an outrageous feature is that the registrar himself is not required to be able to read or write.

For thousands of years the people have struggled for universal manhood suffrage, unrestricted by financial or educational qualifications. This fight has only recently been won. Few would have supposed that Oklahoma, once heralded as the state in which
the people rule, would be the first to think of leading a reactionary
in
movement toward an oligarchy/which only those may vote who are
subservient to the ruling inner circle.

To use the language of a distinguished
"Democratic, Anti-Radical, and UnAmerican." Everybody at the
August primary should look for the words, "For the Amendment," take
his pencil and strike those words out.

Chairman
Republican State Committee
Representing the members in
the legislation who voted
against the substance of the
measure.
SENATE JOINT RESOLUTION OR BILL NUMBER 6.

Argument against the adoption of the above, by P. S. Nagle.

for Behalf of himself, and the Negro Citizens of the State.

The provisions of this Joint Resolution or Bill Number 6 are in open violation of the Constitution of the United States and in open defiance of decisions rendered by the Supreme Court of the United States.

Twice in the first section of the Bill is the recital that it is not in violation of the Constitution of the United States. "Methinks the lady protests too much."

It imposes no literacy test on any person who served in any of the wars of the United States or the wars of any foreign nation, and all lawful descendants of such persons. "The nigger in the woolpile" is the word "nation."

"All members of the Aryan and Semitic families can "boast" of a military ancestry who fought in the armies of some "nation" during the last three-thousand years.

The descendants of Ham cannot make this "boast". Courts have held that the African tribes are not "nations". The Indian is a white man in this state by constitutional enactment.

The supreme court of the United States declared the first grandfather clause unconstitutional. Why? Because, in the language of the court: "It creates a standard which, as a necessary result, recreates and perpetuates the very conditions which the 15th amendment was intended to destroy." (Guinn and Beal v. U. S.)

Senate joint resolution No. 6 was drawn to disfranchise. And to disfranchise it creates a standard which, as a necessary result, "recreates and perpetuates the very conditions which the 15th amendment was intended to destroy."
This bill was conceived at midnight by political crooks, with Lucifer as chief counsellor.

It was born of those instincts that are the source of craft, deceit, guile, fraud and chicanery. Every man who has any regard for the Constitution of the United States or any respect for the decisions of the Supreme Court of the United States should vote against this Bill.

From the very beginning it was the intention of the Democratic Party to extend over this state the disfranchising, registration and election laws that prevail in the democratic states of the south.

It was their intention then and it is their intention now to first disfranchise the negro and then the landless tillers of the soil, and that section of the working class in the cities that cannot be controlled by democratic labor state politicians.

After disfranchising the tenant farmer of the state it is their intention to supplant him with the docile non-voting negro of the south. And thus establish in this state conditions that prevail in the democratic Gulf states.

The following table illustrates how democratic disfranchising election laws work out in actual practice.

<table>
<thead>
<tr>
<th>STATE</th>
<th>Total Negroes</th>
<th>Total Whites</th>
<th>Total Negroes who vote</th>
<th>Total Whites who vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>413,862</td>
<td>232,294</td>
<td>169,583</td>
<td>103,809</td>
</tr>
<tr>
<td>Mississippi</td>
<td>3,249,177</td>
<td>150,380</td>
<td>68,150</td>
<td>66,904</td>
</tr>
<tr>
<td>Georgia</td>
<td>300,782</td>
<td>277,496</td>
<td>122,715</td>
<td>122,794</td>
</tr>
<tr>
<td>Florida</td>
<td>139,601</td>
<td>77,962</td>
<td>39,262</td>
<td>49,390</td>
</tr>
<tr>
<td>Louisiana</td>
<td>325,943</td>
<td>177,878</td>
<td>67,904</td>
<td>75,146</td>
</tr>
</tbody>
</table>

Here are five democratic states which have disfranchised the "nigger" by the "grandfather clause."

Look at Mississippi. After disfranchising 199,000 negro voters there were 150,380 white men of voting age in Mississippi in 1906. Did all these white men get to vote? No. The total vote cast was 69,150 which means that 91,380 white men did not vote.

Almost twice as many men did not vote as did vote—and the reason is that two-thirds of them could not vote.

Look at Louisiana. After disfranchising all the negroes there were left 177,888 white men of voting age. Did they get to vote? The official returns show that only 67,904 of them voted, while 109,974 white men did not vote. Why? Because they were disfranchised.

Look at Alabama. There were 232,294 white men of voting age in 1900. Only 159,583 of them voted, which wasn't so bad, as only 72,711 didn't vote. But after eight years of increasing population only 103,809 white men voted, or 56,000 less than eight years before. Why was this? Because they have a cumulative poll tax in Alabama for the benefit of the working man that isn't disfranchised by the grandfather clause. And this cumulative poll tax law disfranchised over sixty thousand white voters between 1900 and 1908.

The forces that are operating to enslave the forces
The machine that is in control refuses to allow the electors of this State to vote on this proposition by a Yeas or Nays vote. They have ordered that the words "for the Amendment" be written on the ballot and, unless you strike these words out with a lead pencil, you are voted for the Amendment without any affirmative act on your part.

Every voter should go to the polls with an indelible pencil and mark the words "for the Amendment" out. It is dangerous to use a common lead pencil as a mark of this kind could be easily erased.

Remember that the political machinery of this State is in the hands of a gang of political crooks who will resort to any measures to maintain themselves in power. Safety for the people lies in voting against every proposition they favor.

[Signature]

[Signature]

[Signature]

D. Robinson City Clerk
April 22, 1916
Argument Against
Senate Joint Resolution
on Bill No.

SECRETARY'S MEMORANDUM
OKLAHOMA CITY, STATE OF OKLAHOMA
Secretary's Office
This instrument was filed for record this

___ day of___

A.D., 191___ at ___ o'clock ____ M.

Recorded in ______
Corporation
Record No.______ at page____

[Signature]
Secretary of State
By[Signature]
\[\]
It is with no degree of pride that I am answering the purported argument of P. S. Hagle. If Mr. Hagle had presented to me a plausible argument for publication I would never have answered same, but he gave me the above instrument characterized by abuse more than the marshalling of what could properly be called an argument, contrary to the spirit and purpose of the law permitting pro and con arguments. While we could refuse to print this partisan assault, we print it so there can be no question of our fairness in the submission of this proposition. The dominant party has always been fair to the people and generous to the minority parties, although the foregoing assault is a fair sample of many of the unwarranted attacks upon it. Will such an attack appeal to the reason of man? Can it be intended for those who are controlled by prejudice and fomented by abuse? In Holy Writ is said "Speak not in the ears of a fool for he will despise the wisdom of thy words". No man who has ever endeavored to carry out an object where many minds are needed has ever succeeded by slipshod assertions, foolish and selfish intimations, and dastardly characteristics, half-hearted work and rotten epitaphs by appealing to the intelligent citizens. Such abuse appeals only to the baser attributes of man. Is not P. S. Hagle's argument a presumption against the intelligence of the people and is it not reasonable to assume that it was intended to influence fools who in words "despise wisdom and instruction".

The voters of the state I cannot believe will consider the purported argument of P. S. Hagle, and will cast it into the "Hell-box" for the stimulation of his Herro associates he so earnestly pleads for.

The spirit and purpose of the law in authorizing arguments
is in accord with the wisdom found in Proverbs "The way of a fool is right in his own eyes, but he that hearkeneth unto counsel is wise".

No one could hardly consider F. J. Nagle's instrument an argument, but after he had been carried along in a free boat by the people until 1907 he backed off behind the ferry house and began to howl like a sucking calf. As an eminent statesman has lately said "there is no argument in epitaphs, no reason in ridicule and satire in the discussion of serious questions in the refuse of an intelligent bandit." Also Paul wrote "as a man thinketh in his heart so he is".

Can an intelligent citizen of this state take heed of the squawks of a howling coyote who has had his bone taken from him by the honest voters of this state who did not send him to the United States Senate?

A person who champions a good cause cares not to waste his time in frivolous abuse. Abuse is an evidence of a weak cause, a cause that cannot be supported by reason and that is generally based on erroneous assumptions. A truism is expressed in another Proverb, Of the Bible, "The lip of truth shall be established forever, but a lying tongue is but for a moment".

The injustices of Europe that have brought out the fanged dews of war that have taken from her the flowers of the Eastern Hemisphere have overlooked a people in Oklahoma that has been breeding strife, hatred and discontent in the minds of our citizens which, if cultivated, will eventually prove to be a harvest as is now being reaped in Europe.

We should be mindful that no serious questions can be settled by the tigers leap or by methods that do not appeal to the reason and conscience of man. To those who resort to unfair methods, methods that appeal to passion and prejudice, one could aptly apply the words of Solomon "As a dog returneth to his vomit, so a fool returneth to his folly."
Hon. J. L. Lyon, Secretary of State,
Oklahoma City, Okla.

Dear Sir:

As a member of the joint Legislative Committee appointed to prepare the arguments in support of Joint Resolution No. 6, a proposed amendment to the Constitution and which argument has been filed in your office, I desire to protest against the filing by the Hon. F. S. Magle, or any other citizen not a member of the Legislature who voted against the text of the said Resolution, being allowed to file the argument against the adoption of said Joint Resolution No. 6.

I am making this protest for the reason that Mr. Magle, in published utterances, has declared that the Democrats generally are opposed to the faithful enforcement of the election laws and try on all occasions to evade them. Since he has set himself up as a critic of other men's motives and declared it the purpose of Democratic officials to evade the law, I insist that the letter of the law shall be obeyed and that the negative arguments filed against the proposed amendment providing for a literacy test shall be filed as the law directs by a committee representing the members of the Legislature who voted against Joint Resolution No. 6.

Very sincerely yours,

[Signature]

Chas. F. Barrett
Send the following telegram, subject to the terms on back hereof, which are hereby agreed to:

To Secretary of State,

Baton Rouge, La.

Have you any statutory law that disfranchises any white population in Louisiana?

April 26th, 1916.
Baton Rouge LA 1104AM April 26, 1916

Hon. J. L. Lyon 1

Secy of State Oklahoma City, Okla.

The election franchise in Louisiana is governed wholly by the Constitution, no statutory law on subject.

W. F. Millsaps

Secy of State

1113AM
Send the following telegram, subject to the terms on back hereto, which are hereby agreed to:

To Secretary of State,

Montgomery, Ala.

Have you a poll tax in Alabama and does this apply to all male citizens of voting age and one of the requisites in voting?

SECRETARY OF STATE.
RECEIVED AT MAIN OFFICE, LEE HUCKINS HOTEL ANNEX, 14 NORTH BROADWAY, OKLAHOMA CITY

76A Y 20 COLL 3 EXTRA
MONTGOMERY ALA 1114A APR 26 16

J L Lyons
Secty of State

OKLAHOMA OKLA

POLL TAX ONE DOLLAR AND FIFTY CENTS APPLIES TO MALES BETWEEN TWENTY
ONE AND FORTY FIVE

John Phippen, Secty of State

1132A
Send the following telegram, subject to the terms and conditions on back hereof, which are hereby agreed to:

To: Secretary of State

Jackson, Mississippi

Have you any statutory law that disfranchises any white population in Mississippi?

SECRETARY OF STATE.

April 26th, 1916. 191
JACKSON  MISS  1104 A  APRIL 26  1916

J L Lyon
OKLAHOMA CITY, OKLA.

HAVE NO STATUTORY LAW DISFRANCHISING WHITE PEOPLE

JOS W. POWER

SECY STATE

1126A
REJOINDER BY COMMITTEE AS TO THE PROPOSED CONSTITUTIONAL AMENDMENT KNOWN AS SENATE JOINT RESOLUTION NO. 6, SUBMITTED BY THE LEGISLATURE, DEFINING THE QUALIFICATIONS OF VOTERS AND PROHIBITING A PROPERTY QUALIFICATION.

Requiring every voter to read or write any section of the constitution of the state, excluding from such requirement persons who had, or whose ancestors had served in land or naval forces of the United States, or of any foreign nation, or in the national guard or militia, as a voting test, and forever prohibiting the legislature from imposing property qualification or test, harmonizes with the progressive spirit of our times. For, with our educational system and compulsory education and moonlight schools, education is now within the grasp of every individual.

By Bulletin 129 from the Federal Bureau of Census, 44,237 male negroes over 21 years of age reside in this state. In some counties 40% of the population are negroes. In many school and commissioners' districts and townships a majority of population negroes. Wherever possible, under limitations of federal constitution, the vicious and ignorant should be eliminated from control in state, county, district and township affairs. Realizing that this amendment does not violate the federal constitution its opponents cannot successfully attack it on its merits, but by abuse and insinuation seek its defeat.

Article 8 of the Connecticut constitution requires every qualified elector to "sustain a good moral character". Such test was applied in some of the Colonies and originally in many of the states. The object was that those with intelligence and good morals and character should direct the affairs of government.

In the southern states on account of the negro question practically only one political party exists. Consequently the full vote is in the primary and not the general election. There is no necessity for a full vote to turn out in the general election and frequently it is erroneously argued that many white voters are disfranchised in the southern states when such is not a fact.

The contention is made that if this amendment be adopted the registrars would have to take evidence as to whether proposed elector, or any of his ancestors, fought for his country, or that if the registration should be dispensed with, then such fact would have to be determined by the election inspector. By the constitution of this state every voter,
with certain exceptions, is required to be a citizen of the United States and reside within the State one year, county six months and precinct thirty days. Under laws existing in this State from the organization of the territory, similar residence conditions were required and these facts have ever had to be determined in the cities of Oklahoma Territory and State by the registration officers, and in the country precincts where registration was not required, by the precinct election board.

This amendment will facilitate the purity of elections and aid in bringing about better government.

For Joint Legislative Committee.

[Signature]

Secretary of State
SECRETARY'S MEMORANDUM
OKLAHOMA CITY, STATE OF OKLAHOMA

This instrument was filed for record this day of
A.D., 191__ at __ o'clock __ M.

Recorded in ______________ Corporation Instrument in the offices of the Secretary of State at ______________ page ______________

__________________________
Secretary of State
To Hon. J.L. Lyon, Secretary of State:

Hereto attached is an amended rejoinder or answer argument favoring the adoption of the amendment to the Constitution proposed in Senate Joint Resolution No. 6, passed by the Special Session of the Fifth Legislature. It is requested that this amended rejoinder be filed and published in lieu of the original rejoinder heretofore filed in your office. This in order that the rejoinder may meet the statutory requirement as to number of words.

[Signature]
Hon. Thomas C. Perry
For the Joint Legislative Committee.
REJOINER TO NEGATIVE ASSERTIONS ON JOINT RESOLUTION NO. 6

by Committee

This rejoinder is presented on behalf of the joint committee appointed by the Legislature for that purpose consisting of,

Senators Chas. F. Barrett, M. B. Blasingame, R. L. Davidson, T. H. Davidson, C. W. Board, J. H. Sutherlin and Geo. Fields; and,


by Committee

Rejoiner as to the proposed constitutional amendment known as Senate Joint Resolution No. 6, submitted by the Legislature, defining the qualifications of voters and prohibiting a property qualification.

By a careful reading of the pretended arguments submitted against the adoption of this amendment, one finds same to be a practical confession that the amendment is wise and just one. The imposing of a literacy test by requiring every voter to be able to read or write any section of the Constitution of the State of Oklahoma, but excluding from this test every person who had served, or whose ancestors had served, in the land or naval forces of the United States, or in the national guard or militia of any state or territory, or in the land or naval forces of any foreign nation, and forever making it impossible for the Legislature to impose a property qualification or test, is in harmony with the progressive spirit of the age. With our magnificent educational institutions and system of common schools and compulsory education and moonlight schools, education is now within the grasp of every person in this state. But desiring that patriotism shall always be recognized, this constitu-
tional amendment excludes the patriotic person and his descend-
ants who fought for his country.

It is respectfully submitted that the partisan false
charges and assumption and imputation of wrong to political op-
ponents are not justified by the facts and such villification and
charges show that the party filing arguments against this amend-
ment realize that they cannot win before the intelligent and the
virtuous and the patriotic, but that they have got to rely upon
the vicious and the criminal. They say that this amendment is
for the purpose of disfranchising the negro. The negro should be
disfranchised where it can be done in accordance with the federal
constitution.

According to Bulletin 129 issued by the Federal Bureau
male
of Census in 1915 there were 44,237 negroes in this state who were
over the age of 21 years, and in some counties in this state 40
per cent. of the population were negroes. In a great number of
the school districts and townships and commissioners districts a
majority of the population were negroes. We submit that where it
can be done in accordance with the federal constitution that the
vicious and the ignorant should be eliminated not only from the
control in state affairs but, also, in county, district and town-
ship affairs. This amendment is drawn to meet the rules as laid
down by the Supreme Court of the United States in construing the
federal constitution and we have the greatest assurance that it
will stand the test before all the courts.

The reason the opponents are so desperate in filing abus-
ive arguments is because they realize that this amendment is drawn
in accordance with decisions of the Supreme Court of the United
States. The opponents of this amendment dare not attack it on its
merits, but seek to array opposition to it on account of assuming
that it is not being sought to be adopted through patriotic and
honest purpose but for corrupt partisan purposes.

What was the purpose in Connecticut in 1845 when article
8 of its constitution was adopted which required every qualified
elector to "sustain a good moral character." This test applied in a great many of the colonies and originally in a great many of the older states. Obviously, the object then was to put the control of government in the hands not only of the intelligent, but, also, of people with good morals and good character.

P. S. Nagle, Socialist leader, arguing on behalf of negro citizens against this amendment, submits census and election figures in the attempt to show that the effect of the election laws in a number of Southern states has been to disfranchise white voters by the wholesale, also. "There were 150,530 white men of voting age in Mississippi in 1900," he points out. "Did all these white men get to vote? No. The total vote cast was 59,150, which means that 91,380 white men did not vote. Almost twice as many men did not vote as did vote -- and the reason is that two-thirds of them could not vote." The small vote Mr. Nagle refers to was polled at the general presidential election held in the fall. Any school boy reared in a Southern community can expose the fallacy of the Nagle argument, for such boy knows that in the heavily Democratic states a full vote is never polled in the general election; that the voting strength is only gotten out in the primary election; that the real contests being then over, a large portion of the voters stay at home in the fall election knowing their votes would not change the results in any wise. Mr. Nagle should have been fair and submitted the votes cast at the primary election in those Southern states.

The contention is made if this amendment is adopted the precinct registrar would have to take evidence as to whether the proposed elector, or any of his ancestors, fought for his country. Or that if the registration law should be dispensed with that then such fact would have to be determined by the election inspector. By the constitution of this State every voter, with certain exceptions, is required to be a citizen of the United States and to have resided within the State one year, in the county six months and the
precinct thirty days. Under laws that have existed in this state from the time the territory was opened, similar residence and conditions were required, and these facts have ever had to be determined in the cities by the registration officer where registration was required and in the country precincts where registration was not required by the precinct election board.

This amendment will facilitate the purity of elections and aid in bringing about better government.

[Signature]
For Joint Legislative Committee.
REJOINER BY COMMITTEE AS TO THE PROPOSED CONSTITUTIONAL AMENDMENT KNOWN AS SENATE JOINT RESOLUTION NO. 6, SUBMITTED BY THE LEGISLATURE, DEFINING THE QUALIFICATIONS OF VOTERS AND PROHIBITING A PROPERTY QUALIFICATION.

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By Bulletin 129 from the Federal Bureau of Census, 44,237 male negroes over 21 years of age reside in this state. In some counties 40% of the population are negroes. In many school and commissioners' districts and townships a majority of population negroes. Wherever possible, under limitations of federal constitution, the vicious and ignorant should be eliminated from control in state, county, district and township affairs. Realizing that this amendment does not violate the federal constitution its opponents cannot successfully attack it on its merits, but by abuse and insinuation seek its defeat.

Article 8 of the Connecticut constitution requires every qualified elector to "sustain a good moral character". Such test was applied in some of the Colonies and originally in many of the states. The object was that those with intelligence and good morals and character should direct the affairs of government.

In the southern states on account of the negro question practically only one political party exists. Consequently the full vote is in the primary and not the general election. There is no necessity for a full vote to turn out in the general election and frequently it is erroneously argued that many white voters are disfranchised in the southern states when such is not a fact.

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with certain exceptions, is required to be a citizen of the United States and reside within the State one year, county six months and precinct thirty days. Under laws existing in this State from the organization of the territory, similar residence conditions were required and these facts have ever had to be determined in the cities of Oklahoma Territory and State by the registration officers, and in the country precincts where registration was not required, by the precinct election board.

This amendment will facilitate the purity of elections and aid in bringing about better government.

Chas F. Barrick
For Joint Legislative Committee.
The following telegrams are contradictory to the foregoing statements of Mr. Lyon concerning the disfranchisement of the white population in Alabama:

Telegrams sent to Secretary of State of Louisiana.

Secretary of State,
Baton Rouge, La.
Have you any statutory law that disfranchises any white population in Louisiana?

Answer to above telegram. April 26th, 1916.

Hon. J. L. Lyon,
Baton Rouge, La.
Secy of State, Oklahoma City, Okla.
The election franchise in Louisiana is governed wholly by the Constitution; no statutory law on subject.

(Signed) T. F. Hillcup
Secy. of State

Telegrams sent to Secretary of State of Mississippi.

Secretary of State,
Jackson, Mississippi.
Have you any statutory law that disfranchises any white population in Mississippi?

Answer to above telegram. Jackson Miss. April 26, 1916.

J L Lyon
Oklahoma City, Okla.
Have no statutory law disfranchising white people

Signed Joe W. Power
Secy State

Telegrams sent to Secretary of State of Alabama.

Secretary of State,
Montgomery, Ala.
Have you a poll tax in Alabama and does this apply to all male citizens of voting age and one of the requisites in voting?

Answer to above telegram. Montgomery Ala Apr 26 1916.

J L Lyons
Secy Of State
Oklahoma City, Okla.
Poll tax one dollar and fifty cents applies to males between twenty one and forty five.

(Signed) John Purifoy
Secy, of State