

to the adoption of this provision, served in the land or naval force 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 States, or in the land or naval force 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 force 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."

Section 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.

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 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

W. H. Starnes
Circuit Clerk

W. H. Starnes
Circuit Clerk

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.

E. L. Mitchell
President Pro Tempore of the Senate.

Passed by the House of Representatives February 18, 1916.

W. M. C. Gray
Speaker of the House of Representatives.

Approved Feb. 21st. 1916.

R. L. McHenry
Governor of the State of Oklahoma.

Chairman, Committee on Comptroller
M. J. McLaughlin

-----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~~x~~ of the Constitution of the State of Oklahoma, to be designated as section 3-a, of article 3~~x~~ 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~~x~~ as hereinafter set forth, viz: Amend said article 3 by adding an additional section, to be known as section 3-A~~x~~ of article 3~~x~~ 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~~x~~ 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 law~~x~~ 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 force~~x~~ of the United States~~x~~ 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 ⁱⁿ ability 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 ~~xxx~~ 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. ~~xxx~~ 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.

ARGUMENT IN SUPPORT OF SENATE JOINT
RESOLUTION NO. 6, ~~PASSED~~ FEBRUARY
21 1916. *Approved*

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. W. Board,
" M. S. Blassingame,	" J. T. Sutherlin
" R. L. Davidson,	" Geo. Fields,
" T. H. Davidson. and	

W. A. Durant, Tom Hunter, J. J. Clark, W. N. Barry,
W. B. Long, W. M. Duffey, A. E. 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 ^{places} 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 ^{the} 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

#2.

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

#3.

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 ^{his} descendants 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.

For the Amendment
Chas F. Barrett
for the Committee

...and patriotism. The exceptions to the provisions
 give recognition to the patriotism and love of country which
 have been exhibited by the voter or by his forefathers, by
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 gent, and especially those who have fought gallantly in our
 ranks. They would probably help in some way to come
 to keep the level of liberty within the family of freedom.
 This is only a suggestion, and it is up to you
 to decide.

By *Glenn McCallister*
 Secretary of State

W. H. P. H.
 Secretary of State

Recorded in _____
 at _____

A. D. M. 1864
 22 day of April

SECRETARY'S MEMORANDUM
 OLAHOMA CIVIL, STATE OF OKLAHOMA
 Secretary of State
 This memorandum was filed for record on _____

State Question #12
Amendment No. 55
Argument for Re
Support of Senate
Joint Resolution # 6

S. P. FREELING
ATTORNEY GENERAL

JNO. B. HARRISON
R. E. WOOD
R. McMILLAN
SMITH C. MATSON
C. W. KING
J. I. HOWARD

BANKING DEPARTMENT
J. H. MILEY
SCHOOL LAND DEPARTMENT
ASSISTANT ATTORNEYS GENERAL

STATE OF OKLAHOMA
OFFICE OF THE
ATTORNEY GENERAL

OKLAHOMA CITY

April 20, 1916

PLEASE REFER TO INITIAL

SCM/HML

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:

SO 82 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.

Secretary of State-2

SQ. 83 ✓

SENATE JOINT RESOLUTION #12, APPROVED MARCH 13, 1915.

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.

SQ 89

SENATE JOINT RESOLUTION #16, APPROVED MARCH 11, 1915.

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

SQ 87 No. 18, 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.

Secretary of State-3

SQ 88
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.

SQ 85
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 municipal-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.

SQ 84
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.

SQ 86
HOUSE JOINT RESOLUTION #1, APPROVED MARCH 30, 1915.

The ballot title is as follows;

Secretary of State-4

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.

8081

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,

Smith C. Matson
Assistant Attorney General.

OB-St

*Argument against
Senate Joint Resolution No. 6
by Arthur H. Geissler*

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

~~is~~ which failed to enforce its compulsory education laws. And yet, many of these men are intelligent, prosperous and patriotic ~~xxxx~~ 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 ^{it} 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 8 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.

~~xxxxxxxxxxxx~~ To use the language of a distinguished
~~Democratic state senators~~, the proposed literacy test amendment is,
"UnDemocratic, AntiRepublican, and UnAmerican." Everybody at the
August primary should look for the words, "For the Amendment", take
his pencil and strike those words out.

W. M. Geissler,

*Chairman
Republican State Committee,*

*Representing the members in
the legislature 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.

on 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 woodpile" 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, re-creates 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 ~~Ham~~ *the Negro*. And to disfranchise ~~Ham~~ *the Negro* 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 skate 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.

STATE.	Total male population of voting age 1900 census	Total white population of voting age 1900 census	Total votes cast in presidential election of 1900	Total votes cast in presidential election of 1908
Alabama	413,862	232,294	159,583	103,809
Mississippi	349,177	150,530	58,150	66,904
Georgia	500,752	277,496	122,715	132,794
Florida	139,601	77,962	39,262	49,360
Louisiana	325,943	177,878	67,904	75,146

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 150,530 white men of voting age in Mississippi in 1900. 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.

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 forever at war are the forces

The machine that is in control refuses to allow the electors of this State to vote on this proposition by a Yes or No 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.

*For the People of Kansas
and the Regular Citizenship of the State
Oklahoma City Okla
April 22 1916*

Argument Against

Senate Joint Resolution

on Res. # 6

Approved by the Secretary of State

SECRETARY'S MEMORANDUM
OKLAHOMA CITY, STATE OF OKLAHOMA

Secretary's Office:

This instrument was filed for record this

22 day of April

A. D., 1916 at 11 o'clock A. M.

Recorded in _____ of _____ Corporation

Record No. _____ of page _____

[Signature]
Secretary of State
By *[Signature]*
[Signature]

ANSWER TO THE

ARGUMENT OF P. S. HAGLE

ON SENATE JOINT RESOLUTION NO. 6 by

J. L. LYON, SECRETARY OF STATE.

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 ~~think~~ 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 ~~apply~~ 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 ~~and~~ ~~where~~ where many minds are needed has ever succeeded by slipshod assertions, foolish and selfish intimations, ~~and~~ dowdy characteristics, half-hearted work and rotten ~~xxx~~ 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 ~~inspired~~ ^{inspired} 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 Negro associates he so earnestly pleads for.

The spirit and purpose of the law in authorizing arguments

M. E. TRAPP
LIEUTENANT GOVERNOR
E. L. MITCHELL
PRESIDENT PRO. TEMPOR
JOE S. MORRIS
SECRETARY
JOHN P. ADAMS
SERGEANT AT ARMS

CHAS. F. BARRETT
SHAWNEE
District No. 13
Pottawatomie and Lincoln Counties

SENATE CHAMBER

STATE OF OKLAHOMA

April 22, 1916.

CHAIRMAN OF COMMITTEE ON
PUBLIC BUILDINGS AND CAPITOL
COMMITTEE ASSIGNMENTS
JUDICIARY NO. ONE
BANKS AND BANKING
MILITARY AFFAIRS
ROAD AND HIGHWAYS
EDUCATION
PRINTING

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. P. S. Nagle, 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. Nagle, 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,

Chas F. Barrett

CFB.MP

CLASS OF SERVICE DESIRED	
Fast Day Message	
Day Letter	
Night Message	
Night Letter	
Patrons should mark an X opposite the class of service desired; OTHERWISE THE TELEGRAM WILL BE TRANSMITTED AS A FAST DAY MESSAGE.	

WESTERN UNION TELEGRAM



NEWCOMB CARLTON, PRESIDENT
 GEORGE W. E. ATKINS, VICE-PRESIDENT BELVIDERE BROOKS, VICE-PRESIDENT

Receiver's No.
Check
Time Filed

Send the following telegram, subject to the terms on back hereof, which are hereby agreed to

April 26th, 1916. 191

To Secretary of State,
Baton Rouge, La.,

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

SECRETARY OF STATE,

SENDER'S ADDRESS FOR ANSWER

SENDER'S TELEPHONE NUMBER

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION TELEGRAM



NEWCOMB CARLTON, PRESIDENT
 GEORGE W. E. ATKINS, VICE-PRESIDENT BELVIDERE BROOKS, VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT MAIN OFFICE, LEE HUCKINS HOTEL ANNEX, 14 NORTH BROADWAY, OKLAHOMA CITY ALWAYS OPEN

12EX RF 19 3 EXTRA

BATON ROUGE LA 1104AM APRIL 26 1916

HON J L LYON 114

SECY OF STATE OKLAHOMACITY OKLA

THE ELECTION FRANCHISE IN LOUISIANA IS GOVERNED WHOLLY BY THE CONSTITUTION NO STATUTORY LAW ON SUBJECT

W F MILLSAPS

SECY OF STATE

1113AM

CLASS OF SERVICE DESIRED	
Fast Day Message	<input type="checkbox"/>
Day Letter	<input type="checkbox"/>
Night Message	<input type="checkbox"/>
Night Letter	<input type="checkbox"/>

Patrons should mark an X opposite the class of service desired; OTHERWISE THE TELEGRAM WILL BE TRANSMITTED AS A FAST DAY MESSAGE.

WESTERN UNION TELEGRAM



NEWCOMB CARLTON, PRESIDENT
 GEORGE W. E. ATKINS, VICE-PRESIDENT BELVIDERE BROOKS, VICE-PRESIDENT

Receiver's No.
Check
Time Filed

Send the following telegram, subject to the terms on back hereof, which are hereby agreed to

April 26th, 1916. 191

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.

SENDER'S ADDRESS
FOR ANSWER

SENDER'S TELEPHONE NUMBER

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Elie
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION



TELEGRAM

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Clue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

NEWCOMB CARLTON, PRESIDENT
 GEORGE W. E. ATKINS, VICE-PRESIDENT BELVIDERE BROOKS, VICE-PRESIDENT

RECEIVED AT MAIN OFFICE, LEE HUCKINS HOTEL ANNEX, 14 NORTH BROADWAY, OKLAHOMA CITY ALWAYS OPEN

76A Y 20 COLL 3 EXTRA

MONTGOMERY ALA 1114A APL 26 16

J L LYONS

SECY OF STATE

OKLA CITY OKLA

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

JOHN PURIFER, SECY OF STATE

1132A

822

CLASS OF SERVICE DESIRED	
Fast Day Message	<input type="checkbox"/>
Day Letter	<input type="checkbox"/>
Night Message	<input type="checkbox"/>
Night Letter	<input type="checkbox"/>
Patrons should mark an X opposite the class of service desired; OTHERWISE THE TELEGRAM WILL BE TRANSMITTED AS A FAST DAY MESSAGE.	

WESTERN UNION TELEGRAM



NEWCOMB CARLTON, PRESIDENT
 GEORGE W. E. ATKINS, VICE-PRESIDENT BELVIDERE BROOKS, VICE-PRESIDENT

Receiver's No.
Check
Time Filed

Send the following telegram, subject to the terms on back hereof, which are hereby agreed to

April 26th, 1916.

191

To Secretary of State,

Jackson, Mississippi

Have you any statutory law that disfranchises any white population in ~~Louisiana~~ Mississippi

SECRETARY OF STATE.

SENDER'S ADDRESS FOR ANSWER

SENDER'S TELEPHONE NUMBER

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Blue
Night Message	Nite
Night Letter	N.L.

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION TELEGRAM



NEWCOMB CARLTON, PRESIDENT
 GEORGE W. E. ATKINS, VICE-PRESIDENT BELVIDERE BROOKS, VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Blue
Night Message	Nite
Night Letter	N.L.

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT MAIN OFFICE, LEE HUCKINS HOTEL ANNEX, 14 NORTH BROADWAY, OKLAHOMA CITY ALWAYS OPEN

A181DAQ9 2 EXA

JACKSON MISS 1104A APRIL 26 1916

J L LYON

131

OKLAHOMACITY OKLA

HAVE NO STATUTORY LAW DISFRANCHISING WHITE PEOPLE

JOS W POWER

SECY STATE

1126A

copy

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.

MICHIGAN BOMBS EXPLOSIONS
RECORDS IN THE
OFFICE OF THE
SHERIFF
STATE OF OKLAHOMA
CITY OF OKLAHOMA
This instrument was filed for record this
11th day of March 1911

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

Chas F. Barrett, Senator

For Joint Legislative Committee.

Secretary of State

[Handwritten signature]

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required and these facts have ever had to be determined in the cities

SECRETARY'S MEMORANDUM
OKLAHOMA CITY, STATE OF OKLAHOMA

Secretary's Office
This instrument was filed for record this

15 day of May

A. D., 1916 at 1:30 o'clock P. M.

Recorded in _____ Corporation

Record No. _____ at page _____

For Joint Legislative Committee
J. Lyon
Secretary of State

By _____

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

Hereto attached is an amended rejoinder or answer argument favoring the adoption of the amendment of 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.

Chas. F. Barnett, Senator - Howard Parker, Secretary
For the Joint Legislative Committee.

~~REJOINDER TO NEGATIVE ASSERTIONS ON JOINT RESO-~~

~~LUTION 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. S. Blassingame, R. L. Davidson, T. H. Davidson, C. W. Board, J. H. Sutherlin and Geo. Fields; and,

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

by committee

Rejoinder 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.

this is copy

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 a 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 descendants who fought for his country.

It is respectfully submitted that the partisan false charges and assumption and imputation of wrong to political opponents are not justified by the facts and such villification and charges show that the party filing arguments against this amendment 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 of Census in 1915 there were 44,237^{male} 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 township 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 abusive 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.

Chas. F. Bennett
For Joint Legislative Committee.

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.

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

Chas. F. Barrett, Senator
For Joint Legislative Committee.

SECRETARY OF STATE
STATE OF OKLAHOMA
DEPARTMENT OF STATE
OKLAHOMA CITY, OKLAHOMA

SECRETARY'S MEMORANDUM
OKLAHOMA CITY, STATE OF OKLAHOMA
Secretary's Office:
This instrument was filed for record this
20th day of April
A. D. 1916 at 4 o'clock A. M.
Recorded in _____ at page _____
Record No. _____
By _____ Secretary of State

SECRETARY OF STATE
STATE OF OKLAHOMA
DEPARTMENT OF STATE
OKLAHOMA CITY, OKLAHOMA