

Enrolled

Senate Joint Resolution No. 12.

By Davis.

Be It Resolved By The Senate, The House
Of Representatives Concurring Therein;

That the following amendment to the Constitution of this State be submitted to the voters of the State for their approval or rejection, in accordance with the Constitution and laws of this State at an election to be held in the year 1916, and that the said amendment to be submitted to the voters is to repeal Section 12(a) of Article 10. of said Constitution, which is in words and figures as follows; to-wit:

"Section 12(a). All taxes collected for the maintenance of the common schools of this State, and which are levied upon the property of any railroad company, pipe line company, telegraph company, or upon the property of any public service corporation which operates in more than one county in this State, shall be paid into the Common School Fund and distributed as are other common school funds of this State."

Passed by the Senate February 26th, 1915.

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

Passed by the House of Representatives March 5, 1915.

Approved this 13th day of March 1915.

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

A. McCreary
Speaker of the House of Representatives.

Enrolled by Clerk

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

---BALLOT TITLE*---

The gist of this proposition is to repeal section 13a 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. * * *

Be it Resolved by the Senate, the House of Representatives concurring therein: That the following amendment to the Constitution of this State be submitted to the voters of the State for their approval or rejection, in accordance with the Constitution and laws of this State at an election to be held in the year 1916, and that the said amendment to be submitted to the voters is to repeal Section 13 (a) of Article 10 of said Constitution, which is in words and figures as follows; to-wit:

"Section 13 (a). All taxes collected for the maintenance of the common schools of this State, and which are levied upon the property of any railroad company, pipe line company, telegraph company, or upon the property of any public service corporation which operates in more than one County in this State, shall be paid into the Common School Fund and distributed as are other common school funds of this State."

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.

5088
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.

5085
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.

5084
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.

5080
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.

SR81 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

in favor of repeal 12 (a)
A R G U M E N T *by Committee*

For Repeal of 12-A.

The following is a copy of Senate Joint Resolution No. 12, re-submitting Campbell Russell's Constitutional Amendment known as Section 12-A of Article 10, to the voters for its repeal at the August election.

"SENATE JOINT RESOLUTION NO. 12 By DAVIS
Be it resolved BY THE SENATE THE HOUSE OF REPRESENTATIVES
CONCURRING THEREIN.

That the following amendment to the Constitution of this State be submitted to the voters of the State for their approval or rejection at the General Primary Election held throughout the State in the year 1916, or at any Special Election that may be held by authority of law for the submission of Constitutional Amendments; that the said amendment to be submitted to the voters is to repeal Section 12-A of Article 10 of said Constitution, which is in words and figures as follows; to-wit:-

Section 12-A. All taxes collected for the maintenance of the common schools of this State, and which are levied upon the property of any railroad company pipe line company, telegraph company, or upon the property of any public service corporation which operates in more than one county in this State, shall be paid into the Common School Fund and distributed as are other common school funds of this State"

YOUR VOTE ~~ON THIS QUESTION~~ FOR THE REPEAL OF 12-A SHOULD BE --YES--

We the joint Committee of the Senate and House of Representatives appointed by the Legislature to make the argument for the repeal of Section 12-A, submit the following for your consideration:

In presenting the argument for the repeal of 12-A generalities will be dealt with rather than benefits and harmful effects to individual school districts which has for its purpose but one object - that of inciting prejudice.

The figures offered by Senator Russell as published in recent issues of the Daily Oklahoman and Harlows Weekly, will be accepted as a basis for argument, although the total State enumeration is 605,434, instead of 587,134, (Russells figures). And the total valuation of public service valuation operating in more than one county, is \$234,987,000. instead of \$255,056,170. (Russells' figures). The per-capita return would therefor be, a little less than the Senators estimate of \$2.00.

It is a well established fact that the centers of population in this, as well as in all other states, are upon lines of railway, the very development and location of which has occasioned the growth of communities into towns and cities. As a natural consequence of this situation, there has been placed upon school districts, through which railroads and pipe-lines run, an added burden in the way of an additional enrollment of pupils who are entitled to enjoy all of the school facilities provided by the state, and districts, and since the district along the railroads and pipe-lines are charged with this additional burden, it would be extremely unjust to deny to them the benefit of taxes laid upon such property.

It is not only unjust legislation, but dangerous. It is dangerous because if such practices may be indulged in with respect to taxes from public service corporations, there is little, if any, reason why it may not be resorted to with respect to taxes from all other business or property, as, for instance,

Banks, manufacturing plants, ware-houses, and general merchandise stores. It would seem palpably wrong to say that a district should be denied the benefits of taxes resulting from a levy on ~~the taxes resulting from a levy on~~ the properties of these classes although they are supported by the county and country at large, as is the case of public service companies.

It is unjust legislation because it seeks to take away from districts the tax benefits thereof without relieving the burden to farms and communities through which railroads and pipe lines run, causing calamities such as the Ardmore disaster, damage to farm lands, by the bursting of oil lines and loss of life occasioned by the explosion of gas lines, setting fire to crops, buildings, killing stock and making unusual burdens not felt in the localities away from them; also adding to the burdens from the criminal element which follows both railroads and pipe lines.

It takes from the district the taxes from public service corporation but *does not* assume the additional burden of taxes for the care of added Enumeration to schools, that necessarily follows the construction of railroads and other public service developments.

It operates unjustly upon school districts that have *encouraged*, financially, ~~encouraged~~ public service corporations to make valuable improvements and thereafter voted heavy indebtedness for the construction and equipment of expensive school buildings with the expectation of such corporations bearing their proportion of the expense necessary to maintain and use them.

12. a
Under the ~~proposed new method~~, no matter how much additional public service corporation wealth is added to a district or how high the tax levy, it will not increase the revenues from public service corporations beyond the per capita return. Under the present method one new railroad built across a county would add to the public service corporation valuation from \$1,000,000 to \$1,500,000, and to the schools of the county an added revenue of \$7,000 to \$10,000 per annum. If 12-A becomes operative, this opportunity to increase the revenue by encouraging the construction of railroads will be lost to the district and county forever.

Senator Davis, the author of Senate Joint Resolution No. 12, which seeks to repeal Senator Campbell Russell's 12-A comments on 12-A as follows:

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"In the event the Russell Amendment should remain in the Constitution, the injured school districts would from necessity be forced at once to bring forward what I might call a school tax land amendment which would take the school tax from the homestead counties of Oklahoma Territory, as well as the tax on lots and lands in all cities and towns throughout the State, and put this with the "Russell" amendment tax moneys and divide it all according to the school census, the same as the income from the school land. This we do not desire to do, but the law of necessity is the highest law of all. At once this condition would bring on a strife and turmoil between school district against school district, section against section, which would not end in years. All this would have a most disastrous effect upon the schools of the state".

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The timely comment of Senator Davis is not only a warning but suggests the probability of further blanket legislation for the division of all school taxes upon all kinds of property

including the taxes from farm land and city property, should Russell's tax measure prevail.

It would be equally as unjust to the taxpayers and school children of the west side (Old Oklahoma) to deprive them of the right to enjoy the taxes from their \$295,000,000, of taxable land and improvement values, as it would be for the west side to deprive the taxpayers and school children in school districts on the east side (Old Indian Territory) of the taxable public service wealth which they now enjoy, especially when the fact is known that the taxable land value and improvements of the east side is but \$129,000,000, compared with \$295,000,000, on the west side, and with public service valuation practically equal, as is shown to be true by Senator Russell's own statement, and with ninety thousand more children to care for. We quote his figures; "East side public service per capita \$424.79, West side, \$447.61." It might be well to add to this information that the per capita ^{Scholastic} land values of the east side is but \$405.00, while that of the west side ^{taxable} is \$1087.00.

The statement below is offered for the purpose:

First. Of proving the fallacy of the Russell Theory that Section 12-A will better equalize the distribution of school funds derived from Public Service Corporations:

Second: That it will not materially benefit school districts in need, but will result in the weak contributing to the strong:

"H O W 12-A O P E R A T E S"

Comparative Statement showing effects of 12-A, Article 10 on school revenues and tax levies in Oklahoma City and Muskogee City School Districts, and comparing these districts with Le Flore County.

THE WEAK CONTRIBUTING TO THE STRONG.

Muskogee City, School District No. 20, Total Valuation	\$27,949,089
Oklahoma City, School District	69,394,303
Total Valuation of two cities	\$97,343,392
The two cities' per cent of Total Taxable Valuation of State	8-1/4%
Total School Enumeration of two cities	25,125
Scholastic per capita valuation of two cities	\$3,476 \$3,870
Average per capita Scholastic Valuation of State	\$1,631
Per capita Valuation of two cities in excess of average for State	\$1,847 \$2,239
Muskogee City Dist. NO. 20, with 2-1/4% of the total taxable wealth of the State and a present 3.8/levy gains under 12-A	\$13,019.92
Oklahoma City School District with 6% of the total taxable wealth of the State and present 5 mill levy gains under 12-A	\$9,701.06
Total Gain for the two cities	\$22,721.58

Le Flore County, Total Valuation	\$13,329,232
Le Flore County, Total Enumeration	12,988
Scholastic per capita Valuation of total wealth of Le Flore County (This is \$605.00 less than the average for state)	\$1,026
Le Flore County net loss uner 12-A	\$18,262.79
The average tax levy of 56 districts losing \$18,262.79, Le Flore County (present method)	7.27 mill s
The average tax levy necessary in districts losing \$18,262.79, Le Flore County (under 12-A)	20.30 "
Muskogee City School District tax levy (present method)	3.80 "
Muskogee City School District tax levy (under 12-A)	3.32 "
Oklahoma City School District tax levy (present method)	5. "
Oklahoma City School District tax levy (under 12-A)	4.86 "

It will be seen that the two cities with 8-1/4% of the total taxable wealth of the State and with more than twice the Scholastic per capita valuation gain under 12-A \$22,721.58

It will also be seen that Le Flore County with but \$1026.00 scholastic per capita valuation or \$605.00 less than the average for the State, loses \$18,262.78

Mr. Voter, is it not wrong to take from a County like Le-Flore and give its revenue to the two strongest school districts in the State, namely, Oklahoma City and Muskogee.

We close the opening argument, so limited in length by law, that it is impossible to give in any degree the consideration the proposition deserves.

The most the committee hopes to do, is to leave a clear and correct view of all the matters presented to the voter.

During the campaign additional circulars and pamphlets containing data and information, will be distributed for the benefit of the voter.

We ask, that for the good of the whole state, you vote "Yes" for the repeal of 12-A.

If it is not repealed, ten years will not end the controversy over school taxes in our state.

YOUR VOTE FOR THE REPEAL OF 12-A SHOULD BE "YES".

Respectfully submitted,

JOINT COMMITTEE OF THE LEGISLATURE.

Clarence Davis

J. E. Curran

M. M. Ryan

For the Senate.

Wash. Hudson

[Signature]

L. D. Abney

For the House of Representatives.

Agreement
in Re
General Jones Resolution
#12

SECRETARY'S MEMORANDUM
OKLAHOMA CITY, STATE OF OKLAHOMA

Secretary's Office
This instrument was filed for record this
72 day of April

A. D. 1916 at 3:30 o'clock P. M.

Recorded in _____ Corporation
at page _____
Record No. _____

W. M. Keightley
Secretary of State
By *W. M. Keightley*
W. M. Keightley

ARGUMENT AGAINST REPEAL of 12 (a)

By Committee

The committee "for the Repeal" accept as a basis the figures compiled by this committee; for this they are to be commended, as the best accountants in the State have been offered "good money" to discredit these figures and after careful investigation, have announced their inability to do so.

It is only when the "Repealers" misquote, and misapply our figures (or make some of their own) that they fall into grievous error.

The figures we use are carefully compiled from official records.

The first grievous error of the "Repealers" is to attempt to substitute this year's enumeration, and apply same to last year's valuations and levies.

Evidently the enumeration, valuations, and levies must all be for the same year to be reliable - this they overlook.

In the same paragraph the "Repealers" charge us with giving the value of all the Public Service property, and that "operating in more than one county" as one and the same.

If true, what would have been our per capita "estimate?"

If we apply the average tax rate of the State (five and three-eighths mills) to all the Public Service property, the result is One Million Three Hundred and Seventy Thousand Dollars.

This would be \$2.34 per capita for the current year enumeration (as shown by the records of the State Superintendent); or \$2.26 per capita if we should accept the Eighteen Thousand additional children which the "Repealers" have "discovered" (in the census recently completed); but the valuations and levies for the new year are not yet complete, so why try to use that enumeration?

The Repealer must concede that we have never advanced such a claim.

Again, in the same paragraph, they quote us as "estimating" the per capita at \$2.00 - so far, correct. Our "estimate" has read "at least \$2.00 per capita under 12a".

Now that we have official data from each county in the state upon our desk, carefully compiled and checked - why continue to refer to "estimates"?

"When that which is perfect is come - then that which is in part shall be done away".

We have now "demonstrated" that if Section 12a were in effect this year, the per capita would be \$2.20.

Again the "Repealers" say, "it is shown to be true," (by our statement) "that the public service valuations are practically equal (in the two old territories) with ninety thousand more children to care for (on the Indian Territory side)."

Now, if that were really true, would it not be greatly to the advantage of the "Indian Territory side" to get an "equal share" for her ninety thousand extra children? Clearly so.

That statement misquotes us Thirty-four Million Dollars; but even at that, the "Repealers" are nearer the facts when they blunderingly misquote us than when they make figures of their own.

Referring to LeFlore County, they show:

"Fifty-six districts with an average levy of 7.27 mills, which would lose \$18,262.79 by the operation of 12a."

The 7.27 mills is correct - the total given is not within \$5,000.00 of correct.

Then they make the astounding statement that, "With 12a in effect a levy of 20.30 mills would be necessary" in these districts - an unconstitutional rate - consequently a very forceful argument, if true. Is it true?

The truth is, that these fifty-six districts referred to contain Four Million Twenty-one Thousand Dollars of local property on the tax rolls.

Four and one-half mills levy upon this local property would produce this Eighteen Thousand Dollars shortage which they show. $4.5 \text{ plus } 7.27 = 11.77$, not 20.30, as claimed by the "Repealers". We can show over four hundred districts with (little or) no Public Service property that now have higher average levies than that.

In more than five hundred districts, the levy this year runs from ten mills up to 19 mills.

Fourteen of these districts are levying this year an unconstitutional rate (above fifteen mills) in their struggle to maintain a school, while they are denied their constitutional right to participate in the school tax paid by Public Service corporations, which they help to support, and which receive their franchise - their very right to exist - through a Charter issued by the state - by the whole people.

Feeling that some "doubting Thomas" may question this statement we here set out the above fourteen districts, and refer you to the records of the County Clerks of the several counties:

Beaver	District No. 2	108	and 119
Cimarron	8		
Creek	61		
Harmon	68	74	and 83
Latimer	66		
Marshall	18		
McCurtain	74		
Osage	42		
Pushmataha	15		

The average "General Purpose" levy in these fourteen districts is seventeen and three-tenths mills -- unconstitutional to be sure; but they want to educate their children.

The people of Oklahoma said (through 12a) that these struggling districts should "share equally" in the "loaves and fishes" (Corporation tax) which such districts help to provide -- but the "Repealers" continue to "stone them".

Inasmuch as the "Repealers" base most of their argument upon LeFlore County, it is well that we drive clear across the county.

In doing so we find that the fifty-six districts referred to by the "Repealers" have \$516.00 average per capita of local values on the tax rolls -- poor enough indeed to receive our sympathy.

We find sixteen other districts that now receive but sixty cents per capita Public Service School Tax, and which contain but \$397.00 per capita of local taxable values.

Then on beyond where the "Repealers" can evidently broke down, we find thirty-three other districts with no Public Service and but \$345.00 total taxable values per capita.

How about the five thousand little "Hill-billies" in these districts.

Are they not justly (as well as constitutionally) entitled to their pro rata of the Public Service Tax money -- paid out of the freight collected upon the crops which they help to cultivate and harvest.

Are these not entitled to simple justice? Shall they too continue to receive a "stone"?

So much for LeFlore.

To quote the "Repealers" - "It will not materially benefit school districts in need."

If the "Repealers" would "get a little Ford and ramble all around" - they would find twenty-five hundred school districts with no Public Service that would be "materially benefited"; they would find one thousand other districts where the average per capita now received is less than ten cents; they would find hundreds of other districts that now get (average) about one-half their due. More than half of the city children live in such districts.

District No. 26 Tulsa County, 225 children, collects more of this tax (this year) than Muskogee, Okmulgee, Guthrie, Ardmore and Durant combined. DENY IT IF YOU CAN.

These five cities have over eighteen thousand school children.

District No. 27 Tulsa County, with 316 children, gets more than either Chickasha or Enid -- Deny it if you can.

District No. 28, Osage, with 88 children, gets more than Pawhuska and Lawton combined.

Deny it if you can.

You ask what they do with this money?

We hand the question back to you -- unquestionably you can strike the trail of part of it at the Lee-Huckins.

The "Repealers" start out with the statement:-

"Generalities will be dealt with rather than benefits and harmful effects to individual school districts, which has for its purpose but one object - that of inciting prejudice."

Then, why, oh, why, devote half your space to Muskogee and Oklahoma City? To incite prejudice - eh? Can you deny it?

O, consistency, thou art a jewel - unknown to the "Repealers".

Will you deny that during the legislative battle to submit this "proposed repeal", your Mr. Rickey, of the Rock Island Rail Road service, went to Muskogee and made representations that induced the Muskogee city council to pass a Resolution asking their Senators and Representatives to "vote to repeal 12a"?

Will you deny that your Superintendent Robinson and ex-Senator Vandeventer urged Oklahoma City School Board to support this "Repeal" in the interest of Oklahoma City?

You cannot deny that at that time you were working "hand in glove" with the lobbyist mentioned.

Now you pity "Ardmore", while holding up Muskogee and Oklahoma City as "horrible examples" to be benefited by an "un-earned increment".

Do you know? or, don't you know? that Ardmore gets this year, from this source, One Dollar and three mills per capita -- less than half she would receive under 12a -- less per capita than Oklahoma City.

Whether you know it or not, it is a fact, and ignorance is poor excuse upon the part of those who attempt to "tutor" the public.

Unable longer to deceive Oklahoma City and Muskogee, they now try their "sympathy" upon "poor Ardmore".

Ardmore is deprived of more than Two Thousand Dollars this year through their machinations.

Do they put Ardmore, Lawton, Okmulgee, Guthrie, Vinita, Miami, (space forbids complete list) in the class that can be "fooled all the time"? Do they dare deny it?

Lastly, let us note, the "Repealer" Committee quoted from its own chairman the "deep-voiced threat" that

"The law of necessity may force a school tax land amendment."

Is that ignorant bombast -- or a "cool bluff?"

How can less than thirty per cent of the school districts, less than forty per cent of population "force" anything?

Minorities win by trick or deception, not "force".

Less than one-third of the state's children get the school tax upon eighty per cent of its public service values.

These districts have in taxable local property four hundred dollars more per capita than the other two-thirds. You cannot deny it!

Will you "force" us to divide with you the tax upon our fourteen hundred dollars per capita, that you may divide with us the tax upon your eighteen hundred dollars per capita, of local values?

Oh, consistency, whither hast thou fled?

"You can't fool all the people - all the time."

"An honest confession is good for the soul" -- (we make it with our apologies.)

Several members of this committee were, by gross misrepresentation, deceived into voting to submit this "proposed repeal".

We did not then know (but now do) that the ex-Senator so actively pleading for this "repeal" was a hired lobbyist -- illegally paid with public funds.

We did not then realize (but now do) that other "patriots"(?) in that lobby were the "hirelings" of Public Service Corporations that desired to escape paying the average tax rate to help maintain our common schools.

These did not comply with the law by securing a "lobbyist permit."

For the reasons set forth and amply proven by the figures presented, the accuracy of which is admitted by the "Repealers", showing the unequal, unjust and unfair distribution of the Public Service Corporation Tax under the old method, and for the further reason that an amendment to the Constitution solemnly made by a majority of the sovereign people of the state, should be validated and put in force, instead of being ignored and neutralized through pernicious lobby influences.

We urge the active, earnest opposition of every fair-minded voter to the adoption of this amendment which was framed to thwart and defy the fairly expressed will of the people of this state and to override the efforts of a majority of its voters to provide for an equitable and honest distribution of this tax to every part of the state and for the benefit of all its children.

The "no" vote against this "proposed repeal" should be, and we believe will be, such as never to be forgotten while Oklahoma is a sovereign state.

The following telegram received just as we close our argument is pertinent:

"Muskogee, Okla., April 24, 1916.

Senator Campbell Russell,
Oklahoma City, Okla.

In January 1915 a smooth member of the lobby interested in the repeal of Section twelve-a came to Muskogee and by misrepresentations deceived the then city council and acting mayor and induced them to pass a resolution demanding said Section repealed and denouncing it as a scheme to take money from the industrious and frugal and give it to these not entitled to receive it. Tried to prove that it would injure Muskogee. It seems by their argument filed that they now have changed front--this crowd may be expected to blow hot or cold according to the exigencies of the hour.

J. E. Wyand, Mayor."

Respectfully submitted,

Campbell Russell
C. W. Killom
Tom F. McMechan
W. J. Risen
Thomas J. O'Neill
J. L. Carpenter
J. T. McIntosh
Geo. W. Fields
W. M. Bickel
C. C. Shaw
E. L. Mitchell
E. Watrous
J. L. Austin

Chas. F. Barrett
J. Elmer Thomas
C. L. Edmonson
F. E. Tucker
R. H. Chase
H. B. Cordell
C. W. Board
Joe A. Edwards
M. S. Blassingame
R. A. Keller
T. H. Davidson
C. E. Wilson

Committee upon behalf of the Senate

A. H. Huggins
J. O. McCollister
W. M. Duffy
Wm. T. Powell
G. W. Pullen
Chas. Williams
R. J. Morgan
W. N. Barry
T. J. Welch
G. A. Ramsey
H. C. Miller

J. P. Speer
Lee Howe
J. N. Davis
W. K. Dunn
J. E. Lemon
E. E. Glasco
Bryant Cash
C. C. Hill
H. Treadway
W. N. Eaton
Jas. A. Young
J. T. Dickerson

Committee upon behalf of members of the
House who opposed the Repeal.

SECRETARY'S MEMORANDUM
OKLAHOMA CITY, STATE OF OKLAHOMA

Secretary's Office:

This instrument was filed for record this

24 day of April

A. D., 1914 at 4 o'clock P. M.

Recorded in _____ at page _____

Record No. _____ Corporation

By *J. H. Ryan*
Secretary of State

REPLY ARGUMENT.

of Committee

All figures in original argument are taken from the records and can be verified.

Senator Russell does not question Oklahoma City and Muskogee figures, but does question LeFlore County figures. The County Clerk of that County will give figures on the fifty-six districts, and we will give \$100.00 to any Charitable Organization if Russell can prove the average levy under 12^a, 20 mills (Missouri Method) ~~and~~ the fifty-six districts is not substantially correct. Over two hundred districts in the State will show that they, under 12^a, will have to make a levy above the constitutional limit of 15 mills to maintain their present school, including districts 4 and 46 in Muskogee (Russell's) County, with respectively 26 and 28 mills.

Mention is made of certain gentlemen as "paid hirelings". This is an old stock phrase worn out by agitators and demagogues.

We desire to say that the gentlemen referred to were sent by their respective communities to aid in securing legislation beneficial to their communities. We think this is right. No good citizen will or can make any objection to the legitimate exercise of this right. Eugene Kerr of Muskogee was here during the Special Session and oftentimes was in consultation with Senator Russell upon special legislation affecting his community, which we have no doubt was proper.

Replying to Muskogee Telegram. At the regular session of 1915 Senator Russell introduced Senate Joint Resolution No. 11 which took railroads and pipelines from the local tax rolls for county, city, town and school district purposes. In connection with this pending resolution the gentlemen visited various cities. The consequence was that such a protest went up to the Senate from cities and parts of the State that caused this revolutionary measure to die a bornin'. To those thoroughly informed upon the subject, it clearly demonstrated that Senator Russell is an unsafe man in matters of legislation.

For the good of the Common School System of the State, we ask you to vote "Yes" for the repeal of 12^a.

Respectfully submitted,

JOINT COMMITTEE OF THE LEGISLATURE.

Clarence Davis
J. E. Curran
M. M. Ryan
FOR THE SENATE.

Wash. Redman
E. E. Davis
E. B. Johnson
FOR THE HOUSE OF REPRESENTATIVES.

