

**THE STATE.**

**66. Organization.**—The people of the Territory of Kansas having duly formed and ratified a Constitution (that of Wyandotte) and State Government,—republican in form,—and having asked admission to the Union, Congress, by an act of admission, declared Kansas one of the United States. This act, approved January 29, 1861, defined the boundaries of the State; declared it entitled to one Representative until the next general apportionment of Representatives; gave to the State, for school purposes, sections sixteen and thirty-six in each township of public land; granted seventy-two sections of land for the support of a State University; gave ten sections of land for public buildings; pledged the State five per cent. of all sales of public land in Kansas; and created the State a Judicial District of the United States.

**67. Elections.**—The election of State officers is held at the time and place of voting for members of the State Legislature, and under the same regulations. Indeed, the names generally appear on the same ticket with the names of candidates for county offices. The vote for State officers, however, is sent by the Clerks of the Canvassing Boards of the several counties to the Secretary of State. The Governor, Secretary of State, Auditor, Treasurer, and Attorney-General constitute the *Board of State Canvassers*, with the same general powers and duties as those of county boards.

**68. Officers.**—The executive department consists of a Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Attorney-General, and Superintendent of

Public Instruction. All these are elected by the people, and each holds his office for two years.

**69.** The *Governor* is the supreme executive of the State, and its general representative in business affairs. He may call an extra session of the Legislature, and may adjourn the Legislature if the two houses cannot agree as to the time for adjournment. In a message sent to the Legislature at the opening of each session, he reports the condition of the State and of its institutions, and recommends appropriate legislation. He transacts nearly all the business of the State with the National Government. Under regulations prescribed by law he has power to pardon those under sentence of law; and a sentence of death cannot be carried out unless he issues a warrant to that effect.<sup>1</sup> The Great Seal of the State is kept in the Governor's office. The Governor is also Commander-in-chief of the militia.<sup>2</sup>

**70.** The *Lieutenant-Governor* is, by virtue of his office, President of the Senate. In case of the disability of the Governor, for any reason, the duties and responsibilities of his office devolve on the Lieutenant-Governor; but sickness, or absence from the State, constitutes no such disability.

**71.** The *Secretary of State* has charge of all books, maps, records, official bonds, and other valuable State papers. In his office are kept all the enrolled bills and resolutions of each Legislature; and he has the care and distribution of the printed laws of the State.

<sup>1</sup> Governors in this State have so very generally refrained from issuing such warrants, that there is practically no death penalty in Kansas.

<sup>2</sup> See Constitutional Provisions.

72. The duties of a *State Auditor* are those of a chief book-keeper, and somewhat more. He keeps all the accounts of the State; audits all the accounts and salaries of persons who may receive money from the treasury, and issues orders, or warrants, for the payment of these; and he reports to each Legislature a detailed estimate of the necessary expenses of the State until the meeting of the next Legislature. He is also the *Register of the State Land Office*, and has charge of the books in which are preserved the records of the sales of State lands.

73. The *State Treasurer* receives and pays out all the moneys of the State, keeping the usual detailed accounts of the same, and making an explicit report to the Governor once in two years. The Governor, Auditor, and Secretary of State, as an Examining Board, are required to inspect once in each month, without previous notice, all the accounts and funds of the treasury department. Any use whatever of the State funds, in any manner and for any purpose not authorized by law, is made a statutory embezzlement.

74. The *Attorney-General* appears for the State, and prosecutes or defends all actions and proceedings, civil or criminal, in which the State is interested or is a party. He performs this duty in the Supreme Court of the State by virtue of his office, and in any other court on request of the Governor. He gives legal advice to all County Attorneys or other public officers whenever they may apply to him.

75. Under the general superintendence and management of the *State Superintendent of Instruction*<sup>1</sup> are the

<sup>1</sup>The Auditor, Treasurer and Superintendent are each authorized

entire educational interests of Kansas. He distributes the income of the State school-fund to the counties from which proper reports have been received; visits each county at least once in two years; publishes the school laws that are in force; advises with County Superintendents; and reports in detail to the Governor, prior to each session of the Legislature, the condition of educational affairs in the State.

76. The State officers thus far mentioned, except the Lieutenant-Governor, form what is known as the *Executive Council*. This has the care and management of the state-house and of the grounds about it, of the armory, and of all other State property where no other provision is made by law. It elects the three Railroad Commissioners (one each year), annually selects and names the "official State paper," and has many other duties prescribed by the statute.

77. The *Railroad Commissioners* form a Board to which are referred all questions as to freight or passenger charges, the location of depots and side-tracks, and all other claims or questions which may arise under the law regulating railways. A Commissioner's term of office is three years.

78. The Lieutenant-Governor, Secretary of State, Treasurer, Auditor, and Attorney-General are united in a Board known as the *Board of Railroad Assessors*, whose duty it is to assess the property of all railroad corporations in the State for the purposes of taxation.

79. To the Secretary of State, the Superintendent

to appoint a competent and suitable assistant, who shall be known as Assistant Auditor, Assistant Treasurer, or Assistant Superintendent.

of Public Instruction, and the Attorney-General, as the *School-Fund Commissioners*, are entrusted the care, management, and investment of the school-fund of the State.

80. Whenever the State incurs a debt, a tax is levied which will pay the interest each year, and also raise, each year, an amount which, when laid by, will equal the principal when the latter comes due. The part laid by each year to pay the principal is called the *Sinking Fund*. This fund may be invested by the Governor, Secretary of State, and State Auditor, who are constituted a board known as the *Sinking-Fund Commissioners*.

81. The *State Agricultural Society* is organized to further the agricultural interests of the State. Every County or District Agricultural Society which shall have made a monthly and detailed report of the condition of crops, of the noxious insects, and of the condition of stock, in its county or district, and shall have furnished such other information as the State Board may require, is entitled to send its President, or some other person, as a delegate to the annual meeting of the society. This is held in Topeka, on the second Wednesday of January in each year, and the usual officers are then elected. The President, Vice-President, Secretary, Treasurer, and five members chosen at the annual meeting, constitute the regular *State Board of Agriculture*. Of this the Governor and Secretary of State are *ex-officio* members.

82. The State Board takes the census (the official numbering of the people), and compiles all statistics and collects all manner of information that may be useful to farmers, or that may prove desirable to those in other States or countries looking for new homes. The

result of their labors is put in the form of a *Biennial Report*, of which several thousand copies are printed for general distribution. The society occupies large rooms in the capitol, where are preserved and displayed specimens of the soils, products, and industries of the State.

83. Closely connected with the agricultural interests of the State is the *Live-Stock Sanitary Commission*. This Board is made up of three persons appointed by the Governor, with the advice and consent of the Senate, and has general oversight of the health of all live-stock in the State. The *State Veterinary Surgeon*, also appointed by the Governor, acts with this commission; the object being to secure the best means of avoiding or limiting contagious diseases in domestic animals.

84. The *Academy of Science* is really a department of the State Board of Agriculture, but with a separate organization and under its own officers. It holds a regular annual meeting, at which the latest discoveries and advancement in science are discussed. The Academy has an office in the agricultural room, in the capitol, and has special duties in the way of collecting and preserving botanical and geological specimens.

85. The *State Horticultural Society* receives support from the State in its work of investigating the various methods in horticulture, and of collecting and disseminating all manner of information that may be useful to fruit-growers. Like the Academy of Science, it is really a department of the State Board of Agriculture.

86. The *State Historical Society* was organized to collect books, maps, public and private letters and documents, relics, and all and everything relating to the history of

Kansas in particular, and of the West in general. Membership is by election of the society and on payment of certain fees; and the members elect their own officers at the annual meeting. The State provides rooms for the collections, and appropriates certain amounts each legislative session for the current expenses of the society, including the salaries of the Secretary and of his assistants. These are the librarians, and are the custodians of the property of the organization. The expenditures of this fund must be duly reported to the Governor.

87. The *State Board of Education* formerly consisted of the State Superintendent of Public Instruction, the Chancellor of the State University, the President of the State Agricultural College, and the President (or Principal) of the State Normal School. This board was increased in number by chapter 132 of the laws of 1893, which authorizes the Governor, by and with the advice and consent of the Senate, to appoint three additional members, who hold office for the term of two years each. By the provisions of said chapter 132, laws of 1893, the State Board of Education now issues *State Certificates*, valid for three years. Said Board may also issue *Life Certificates*. These are granted on examination to those showing high qualifications as teachers. The Board also prepares the questions used in county examinations of teachers, by which a certain uniformity and high grade of excellence are sought in those receiving county certificates. It determines who may be conductors and instructors in County Normal Institutes, and issues certificates to them. It is generally regarded by the State Superintendent as a sort of advisory council, though it has no such legal position or

duty. The members meet at Topeka on the fourth Monday in August in each year, and at such other times and places as they may deem necessary.

88. Three persons (one of whom must be an attorney) are appointed by the Governor to act as a *Board of Pardons*. All applications for pardons of persons undergoing a sentence of law for any felony must be submitted to this Board, and it has authority to examine the facts in all cases in which it seems a pardon might be granted. The Board meets four times each year, in Topeka; and the members hold office during the pleasure of the Governor. Applications for pardon in cases of misdemeanors are not referred to the Board of Pardons, but no pardon can be legally granted, either in case of felony or of misdemeanor, unless notice of application therefor is first published as required by law.

89. All institutions for the defective classes are under the general control of the *State Board of Trustees of Charitable Institutions*, consisting of five persons, appointed by the Governor. The term of office is three years.

90. Nine physicians, appointed by the Governor, constitute the *State Board of Health*. The term of office is three years, and the holding is so arranged that three members are appointed each year. The annual meeting of the Board is held in Topeka, in June; and quarterly meetings are held there, or elsewhere, as the Board may direct. The Board elects one of its own members as Secretary, who is really the executive of the Board. It has general authority to supervise the health interests of the State. It collects statistics, publishes information, inspects public buildings, can give authoritative directions

and take all necessary precautions in regard to contagious diseases, and devotes its efforts to the general improvement of the sanitary condition of the commonwealth.

91. The *State Medical Examiners* are appointed under a special statute by the Kansas Medical Society (Allopathic), the Eclectic Medical Society of Kansas, and the Homeopathic State Medical Society. All practicing physicians must hold certificates from some one of these Examining Boards. Certain certificates are given to those who hold diplomas from medical colleges; others, to those who are examined directly by the Boards. These certificates must be recorded with the County Clerk, and no person can practice medicine or surgery until he has received and recorded his certificate. The usual penalties attach to any violation of the act creating the Boards and regulating medical practice.

92. The *State Board of Pharmacy* is composed of five reputable and practicing pharmacists (druggists), appointed by the Governor. The term of office is three years. This Board has general supervision of the practice of pharmacy; must examine and register all who wish to go into this business, either as druggists or as druggists' clerks; and issues certificates of competency, or licenses applicants to keep, compound, and sell drugs and medicines. The intention of the law creating this Board was to prevent incompetent persons from dealing in drugs, and to punish the adulteration of medicines and chemicals.

93. A *State Printer* is chosen by the Legislature, who does all the public printing—such as stationery, blanks, reports, etc., for State officers, and most of that required

in State institutions; and whose term of office is two years.

94. By and with the advice and consent of the Senate, the Governor appoints a *Superintendent of Insurance*, who holds his office for four years, and whose duty it is to examine carefully the management and financial condition of each insurance company that wishes to do business in the State. He reports the result of such examinations publicly; and if in any case it is not satisfactory, he has power to revoke the authority by which the company entered the State.

95. The *State Library* is located in the capitol. A *State Librarian* is appointed by the Governor upon the recommendation of the Board of Directors. Said Board consists of the Governor and the Justices of the Supreme Court.

96. The *Commissioner of Labor Statistics* is appointed by the Governor, and holds office two years. He is at the head of the Bureau of Labor and Industrial Statistics, and it is his duty to collect and put in proper form all possible details relating to all kinds of labor in the State; especially the details of the social, educational, and sanitary condition of the laboring classes, and of the manufactures of the State.

97. The *State Mine Inspector* is appointed by the Governor and the Executive Council, under a special statute controlling the operation and safety of mines. He must be at least thirty years old, and have had five years' experience working in and around coal-mines. The term of office is two years. He visits each mine in the State at least twice in each year, to see that every possible precau-

tion is taken against accidents, and that all due regard is paid to the health of the workmen while in the employ of a mining company; and he collects and reports to the Governor all statistics relating to mining in this State.

**98.** The *Commissioner of Fisheries* is an officer appointed by the Governor, serving two years. His duties are to examine the various rivers, lakes, and streams of the State to learn whether, and how, they can be rendered more productive of fish. He also sees that the special statutes regarding fish are enforced.

**99.** The Governor appoints a *Commissioner of Forestry*, who holds office two years. It is his duty to establish two experimental stations in forestry of not less than one hundred and sixty acres each, to hold public forestry meetings in different parts of the State, and to secure and disseminate all possible information as to the best methods of planting and growing forest-trees. The experimental stations are in Trego and Ford counties.

**100.** The *Inspector of Oils* tests all petroleum oils offered for sale in this State, with a view to determining their purity and safety. He is appointed by the Governor, and holds office for two years.

**101.** The *Silk Commissioner* is appointed by the President and Secretary of the State Board of Agriculture, and holds office for two years. It is his duty to supervise the experiments made in silk-culture at the *State Silk Station*, at Peabody.

**102.** The Governor appoints an *Adjutant-General of the State Militia*, whose office is at the capitol, and who has general supervision of the organization, equipment, drill, and active services of the militia.

**103.** The Governor may appoint a *State Agent*, who prosecutes to a final decision, in the proper departments of the National Government, all disputed claims of the State against the United States.

**104. Conclusion.**—State officers are connected with greater trusts than those committed to lower officials, and are in charge of matters which interest larger circles of citizens. There is need, therefore, of more marked ability and of wider acquaintance with public affairs. While there is little or no difference of opinion as to the general management of the business of the State, there will always be some points of public policy on which men cannot agree. These are the foundations of political parties. Because of the very close relations existing between a State and the nation, and the constant possibility of very desirable results depending on prompt and cordial co-operation and harmony between the Federal or National Government and the respective States, it has seemed proper that an effort should be made to have the State and National Governments under the control of the same party. Sometimes, however, local issues prevent this, and State and National affairs are left in very different hands. In times of peace there is no special danger in this; it is even desirable that home interests should not be overshadowed by those of the nation. There is never a real conflict between the two unless there is a violent sectional feeling in the pursuit of selfish ends on the part of the State, or usurpation of power on the part of the National Government. The remedy for the first is found in the moral and intellectual uplifting of the great mass of the people; for the second, in a more careful selection of our public servants.