

# ANNUAL MESSAGE

OF

GOV. S. J. CRAWFORD.

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Delivered January 10, 1866

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*Gentlemen of the Senate and House of Representatives:*

With profound gratitude to Almighty God, who has directed us safely through four years of the most fearful and bloody civil war that ever tried the patriotism of any people, or tested the stability of any government, I, this day, in accordance with constitutional requirement, communicate to you in writing, and recommend such measures as in my judgment are deemed expedient. One year has passed since you last assembled to enact laws for the government and well-being of the people of this State. During the year the formidable armies of the rebellion have been crushed. Peace and prosperity again return to bless the land. And, while we live to enjoy the blessings of this, the best of all earthly governments, let us *never* forget the brave patriots who periled their lives for the perpetuity and lasting glory of the Republic, and in a substantial manner remember, care for and *amply* provide for the families of those from our own State who sacrificed their lives upon the alter of their country, to transmit the blessings of this free government to future generations. Our government owes its very existence to the efforts of these brave men. Our statesmen have constructed and put into successful operation a government which is both the wonder and admiration of the present age and a model for the future. What we have already accomplished only shows what we are capable of doing. The sun of Independence rose fair and bright on many a people before it warmed us into being; but, in every instance where the vital influences of gratitude, freedom and Christianity have been wanting, their sun soon set in a night of despotism that was dark, drear and stormy. And no people ever preserved their liberties---and, it is not presumptive to assert, never will---where these salutary influences do not exist. "Freedom is the twin sister of Virtue; where she dwells, there Freedom dwells, rules where she rules, expires where she expires."

Eleven and one-half years have passed since the Territorial organization of Kansas. The contest between slavery and freedom commenced here, and it was almost impossible, in the early history of the Territory, for any one to live in it in personal security who loved freedom more than slavery. Those who inaugurated the late rebellion were the principal leaders in organizing and sustaining a party in Kansas which manifested the same spirit in its early history that actuated their imperious masters during the four years of the war. Those who so fondly loved treason as to leave this State, to cast their fortunes with those seeking to destroy the government, should never more, in my judgment, be permitted to exercise the rights, privileges and immunities of loyal citizens of Kansas. The great majority of the people of Kansas, from its earliest history, have been true to the principles of freedom, and, during the recent struggle of the Federal Government for national existence, no State more promptly responded to its every call for troops to defend its flag and maintain its honor. And our soldiers have won a reputation and fame imperishable as history itself. The year 1866 is the first which brings with it no fearful apprehensions of invasion from other States or of desolation and ruin, as threatened for the last four years. This year brings with it peace and universal freedom to our citizens. No Federal bayonets now, as in 1856, threaten (by order of the then Secretary of War, now incarcerated in Fortress Monroe) to disperse our Legislative Assembly. Those days of trial have passed; freedom has triumphed; Kansas is free, and now offers the immigrant a home unsurpassed in richness, beauty and fertility. It is now for us to cultivate this magnificent garden, and make it blossom and bloom with beauty, and bear in rich exuberance the fruits of peace and plenty.

*Finance.*

I herewith transmit the reports of the Auditor and Treasurer of State, containing a detailed statement of the financial condition of the State.

*Total liabilities and resources of the State, for the year ending  
November 30th, 1865:*

Amount of 7 per cent. bonds,	\$204,000.00
“ 6 per cent. funding,	54,400.00
“ 7 per cent. military,	93,000.00
“ 6 per cent. bonds, refunding taxes,	39,675.00
Amount of Penitentiary bonds,	50,000.00
State warrants outstanding,	59,455.92
Territorial warrants,	10,962.11
Military,	5,920.69
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Total,	\$567,413.72

*Contra.*

Amount uncollected State Tax,	\$101,536.74
Territorial (uncertain),	71,050.83
State military expenditures, General Gov't,	100,000.00
Taxes levied for 1865,	216,756.79
Due from General Government,	12,352.00
Funds in treasury,	26,079.21
Territorial funds,	.85
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Total,	\$527,776.42

Balance of resources,	\$10,362.70
Estimate of current expenses for the year 1866, as per Auditor's report,	\$93,738.10
Interest on public debt and sinking fund,	\$43,351.36
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Total,	\$137,089.46

*Military.*

Your attention is invited to the report of the Adjutant General of the State, from which the following exhibit is given:

ORGANIZATIONS.	Original Enlistments.	Recruits.	Veterans.	Veteran Recruits.	Recruits in Veteran Organizations.	Drafted Men.	Substitutes.	Total.
1st Reg. Infantry,								
from Kansas,	875	177	88					1,140
from other States,	47	122	23					192
2nd Reg. Infantry,								
from Kansas,	462	32						494
from other States,	1	16						17
2nd Reg. Cavalry,								
from Kansas,	658	303	18					979
from other States,	300	132	2					434
5th Reg. Cavalry,								
from Kansas,	787	324	22					1,133
from other States,	117	44	7					168
6th Reg. Cavalry,								
from Kansas,	675	512	66					1,253
from other States,	175	161	41					377
7th Reg. Cavalry,								
from Kansas,	687	108	225	39	168		37	1,264
from other States,	167	82	182	1	70			502
8th Reg. Infantry,								
from Kansas,	363	411	121		4		30	929
from other States,	206	85	99		3			393
9th Reg. Cavalry,								
from Kansas,	809	609	45				1	1,464
from other States,	10	71	1					82
10th Reg. Infantry,								
from Kansas,	434	439	147			81	33	1,134
from other States,	43	124	20					187
11th Reg. Cavalry,								
from Kansas,	1,101	330					1	1,432
from other States,		26						26
12th Reg. Infantry,								
from Kansas,	889	125						1,014
from other States,	47	7						54
13th Reg. Infantry,								
from Kansas,	860	65					2	927
from other States,		91						91
14th Reg. Cavalry,								
from Kansas,	907	142					3	1,052
from other States,	41	141						182

15th Reg. Cavalry, from Kansas,	924	249	1				5	1,179
from other States,	140	19						159
16th Reg. Cavalry, from Kansas,	891	129	1				36	1,057
from other States,	90	13						103
17th Reg. Infantry, from Kansas,	445							445
1st Reg. Col'd Infantry, from Kansas,	869	147				21	65	1,102
from other States,	3							3
2nd Reg. Col'd Infantry, from Kansas,	924	55					35	1,014
from other States,	3							3
1st Kansas Battery, from Kansas,	46	100	43	1	1			190
from other States,		40		25	25			65
2nd Kansas Battery, from Kansas,	103	84						187
from other States,	30	2						32
3rd Kansas Battery, from Kansas,	20	13						33
from other States,	70	44						119
Indep't Colored Battery, from Kansas,	152						10	162
Total from Kansas,	13,881	4,354	777	40	172	102	258	19,584
“ “ other States,	1,491	1,225	375	26	73			3,190
Grand total,	15,372	5,579	1,152	66	245	102	258	22,774

Enlistments in organizations not belonging to the State,  
in 1865,

228

Total in Kansas regiments and Kansas soldiers in other  
organizations,

23,002

Total enlistments from Kansas,

19,812

The entire vote, as shown by the returns of 1861, was 11,971, and the entire vote, as shown by the returns of 1864, was 20,835, it thus appearing that Kansas has furnished nearly double as many soldiers for the war as the entire voting population was in 1861, and almost as many as shown by the returns of 1864. The State has furnished the Federal army more troops, in proportion to her population, than any other State in the Union; and the entire militia was always in readiness for immediate action in the field, and was all engaged rendering efficient service in repelling the rebel army under Price from our border; and, upon several occasions, regiments and independent companies were in actual service, defending the border and frontier.

The State has received credit from the General Government for only 15,961 men, which error caused Brig. Gen. Fry, the Provost Marshall General, to order the draft in Kansas under the call of Dec. 19th, 1864.

I assumed the duties of Governor on the 9th day of January, 1865, and found the draft then pending. I directed the Adjutant General of the State to make out a complete report of the actual number of troops furnished by the State, their term of service, date of organization, number of re-enlisted veterans &c., which I immediately transmitted, through the Adjutant General of the U. S. Army, to the Provost Marshal General. He received it during the month of February. This report showed conclusively that Kansas had already furnished more than her entire quota under all calls: notwithstanding which, the Adjutant General U. S. Army, from some cause, refused to give the State her just credits and suspend the draft.

The day following the adjournment of the last Legislature, I proceeded to Washington, with an additional report, prepared by the Adjutant General of the State, and, after considerable delay, obtained credit at the Adjutant General's office in Washington for 3,039 additional men. This additional credit, according to Government records, placed the State about 2,000 in excess of all calls and demands; and justice required that further proceedings under the draft should have been suspended immediately, and all drafted men who had reported at the general rendezvous discharged, and allowed to return to their homes. This the Secretary of War refused, on the ground that other States were claiming similar credits, and that the men were greatly needed, and that every available man must be secured immediately, and to suspend the draft in one State would create dissatisfaction in others. I then waited upon Provost Marshall General Fry, with the credits obtained at the Adjutant General's office, who, as an act of justice to the State, ordered further proceedings under the draft suspended, and immediately telegraphed to the Assistant Provost Marshal General at Leavenworth to discharge the men and allow them to return to their homes. When I arrived at Leavenworth, I found, to my astonishment, a portion of the drafted men still held. I immediately sent a dispatch to General Fry, of which the following is a copy:

LEAVENWORTH, April 11th, 1865.

To General J. B. Fry, P. V. M. G.,  
Washington, D. C.

On arriving here, I find that one hundred and twenty of the men drafted from Kansas are still held. These men are mostly from one locality, and were drawn while the State had an excess of over three thousand. Will you not release and order them home?

(Signed)

S. J. CRAWFORD,  
Governor of Kansas.

On the 15th, I received notice that an order had been issued discharging the drafted men; during the interval, however, the drafted men had been ordered from Leavenworth to St. Louis, and from there south, into Gen. Canby's Department. The order forwarding the men south was executed with a wonderful degree of alacrity, before the second order for their discharge reached the Department of Missouri. Having failed in my efforts in behalf of the drafted men, and also of some volunteer regiments, I returned to Washington in June, and procured an order from the Secretary of War to Gen. Canby, in whose department these men were now serving, directing him to order all drafted men from Kansas to be discharged.

This last order, I am informed, was delayed and kept from the Regiment (the Tenth Kansas, to which the drafted men were assigned,) until it was mustered out. The drafted men were unwarrantably imprisoned and badly treated by United States officers, after reporting at the draft rendezvous at Fort Leavenworth, for duty.

The large amount of money expended by citizens, communities and corporations to secure enlistments, (under the call for which the draft was ordered,) should, in justice, all be refunded by the General Government; as the State at that time was several thousand in excess of all calls. And our soldiers who enlisted in the beginning of the war should receive additional bounty, not only to an equal amount with those, who long afterwards enlisted, but proportionately greater, as their term of service was longer.

The pensions allowed by the Government being inadequate to meet the wants of our brave, but now disabled, defenders, I therefore recommend that you memorialize Congress for an appropriation of land as a basis upon which the State may appropriate suitable pensions to her soldiers, in proportion to the disability contracted in the service. Instead of the faithful soldiers being allowed to suffer, or become subjects of public charity, the State should feel it her *highest* duty to make *honorable* and *ample* provisions for them. These men, by their sacrifices, defended, protected and saved the Country, and the Government now should and must, be their protector and benefactor. Immediate provision should be made by the State for those wounded and disabled, and for the families of those killed in the militia service of the State.

**REPORT (NOT COMPLETE) OF THE BOARD OF COMMISSIONERS "TO  
AUDIT CLAIMS ARISING OUT OF PRICE RAID IN 1864."**

	<i>Services Rendered.</i> PRICE RAID.	INDIAN EXP'N.	
Am't due "organized militia," as per pay and muster rolls, now on file,	\$146,753.03	\$12,088.95	
Am't due "irregular militia," as per pay and muster rolls, now on file,	16,535.60		
Am't due "irregular colored" militia," as per pay and mus- ter rolls, now on file,	1,939.46		
	\$165,228.09	\$12,088.95	
			\$177,317.04
	<i>Material Furnished.</i>		
Forage,	\$37,400.92	\$232.55	
Subsistence	5,989.35	490.40	
Fuel,	1,843.00	18.00	
Medicines and Medical Stores,	739.69	20.00	
Stationery,	216.05		
Camp and Garrison Equipage,	6,090.64		
Blankets,	27,187.04		
Ordnance Stores,	90.40		
	\$79,557.99	\$760.95	
Transportation,	\$14,688.05	\$158.41	\$80,318.94
			\$14,846.46
	<i>Damage Sustained.</i>		
Property taken or destroyed by public enemy (Price,)	\$83,875.08		
Property taken by U.S. and Kansas State militia,	2,829.75	\$20.00	
Damage by unknown troops of U.S. and militia,	3,298.00		
Damage by troops of U.S. and public enemy,	1,748.00		
	\$91,750.83	\$20.00	\$91,770.83
	<i>Miscellaneous.</i>		
Property lost in action and taken by the enemy,	\$32,288.50		
Rent of company quarters,	217.67		
Printing Q.M. vouchers,	3.25		
Labor,	178.38		
	\$32,687.77		\$32,687.77
Total,			\$396,941.04

The Quartermaster and Paymaster General's reports are herewith transmitted; also, report of Attorney General.

*Extinction of Indian Titles.*

The numerous Indian reservations, embraced within our limits, are detrimental to the interests of the State. The Indians will neither improve nor cultivate the lands, and their occupancy prevents others from doing it. I recommend that you memorialize Congress for the removal of the various tribes from this State to the Indian Territory, and that patents be issued to those having selected homes, thereby enabling them to dispose of their lands, if they so desire, and remove with the others; and if not, that their land may become subject to taxation, as that of other settlers.

By an examination of the treaties made with the various Indian tribes on the southern border, and from recent surveys made by my order, in my opinion, the Osage tribe of Indians now possesses and occupies about four million acres of land in Kansas, to which they are not entitled by treaty stipulations; which, in addition to the three million acres recently treated for, will remove them south of the thirty-seventh degree, north latitude, the southern boundary of this State. The Cherokee tribe is now holding the land between 36° 30' and 37° 20' (most of which is the property territory for the Osage reservation,) in connection with their seven million acres south of 36° 30'. I herewith transmit maps of said reservation, and annex copies of correspondence with Hon. James Harlan, Secretary of Interior, and others, and recommend such action as in your judgment may be deemed best.

CORRESPONDENCE.

STATE OF KANSAS,  
*Executive Office, Topeka, Aug. 3d, 1865.*

HON. JAMES HARLAN, *Sec'y of Interior.*

SIR: --- After a full and careful examination of all treaties made with the Osage, Cherokee, Seneca and Quapaw Indians, and from my own personal knowledge of their respective reservations, I am fully convinced that the Great and Little Osage Indian tribes now claim, hold and occupy a large tract of land in Southern Kansas, to which they have neither right, title or claim. By treaty of June 2d, 1825, the Great and Little Osage Indian tribes ceded to the United States, all their lands west of the Mississippi River, except the following described tract, to wit: Beginning at a point due east of "White Hair Village," and twenty-five miles west of the western boundary line of the State of Missouri, fronting on a north and south line, so as to leave ten miles north and forty miles south of the point of said beginning, and extending west with the width of fifty miles, to a line drawn from the head sources of the Kansas River, southerly through the Rock Saline. "White Hair Village," the starting point of the Osage boundary is situated about ten miles north of the thirty-seventh degree, which is the southern boundary line of the State of Kansas, and thirty miles west of the western boundary line of the State of Missouri. According to the above statement, which is in accordance with the Osage treaty of June 2d, 1825, the north line of the Osage reservation should run about twenty miles north and parallel with the thirty-seventh degree, while at present they claim their entire reservation north of the thirty-seventh degree, and within the State of Kansas. The same is true as regards the Cherokee neutral lands. They claim this entire tract within the State of Kansas, while by treaty of December 29th, 1835, the Government sold and conveyed to them eight hundred thousand acres of land situated between the west line of the State of Missouri and the Osage reservation-less the Quapaw lands-and extending as far north as the Osage lands. Hence the Cherokees and Osages are claiming and holding lands in Kansas to which they have no legal right or claim, and which should be thrown open for settlement. I therefore ask that the Commissioner of the General Land Office be instructed to investigate the whole affair, and that the Surveyor General of Kansas, or some other competent party, be directed to immediately make a new survey of the above mentioned reservation, and set apart to each tribe the exact amount of land to which it is entitled by treaty stipulations.

All of which is respectfully submitted.

I am Your Honor's most obedient servant,  
(Signed,)

S. J. CRAWFORD,  
*Governor of*

*Kansas.*

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HON. JAMES HARLAN, *Secretary of the Interior.*

SIR: --- I have the honor to acknowledge the receipt of a copy of a letter from Governor S. J. Crawford of Kansas, relative to metes and bounds of the Great and Little Osages and Cherokee neutral lands in that State, referred by the Department to this office, on the 25th inst., with directions to examine the subject and to report the facts in the case.

In obedience to the instructions, I have to report as follows: The Governor of Kansas alleges that the above mentioned Osages and Cherokees are "claiming and holding land in Kansas, to which they have no legal right or claim, and which should be thrown open for settlement;" and requests that the Surveyor General be directed to make a new survey of the reservation, in accordance with the respective treaty stipulations.

In support of these premises the Governor states that the "White Hair Village, the starting point" for the Osage boundary, is situated about ten miles north "of the 37th degree, which is the southern boundary line of the State of Kansas, and thirty miles west of the western boundary line of Missouri."

It is upon this erroneous hypothesis that the Governor's request is made for the re-survey of the boundaries, so that the northern lines of the Osage and Cherokee Neutral lands should run about twenty miles north of the 37th° of north latitude. The actual condition of these lines appears from official data on file in this office, to the following effect:

The White Hair Village, the beginning point referred to in the 2d Art., treaty, June 2d, 1825, with the Osage tribes: Statutes at large, vol. 7, page 240, is about 43 miles, and not 20 miles, north of the southern boundary of Kansas. It is 40 miles and 26 30-100 chains, and not 30 miles west of the western boundary of the State of Missouri, and the northern boundary of the Osage reservation, as well as that of the Cherokee neutral lands, is 10 miles north of the White Hair Village. The latter was actually admeasured by Geo. C. Van Zandt, U. S. Deputy Surveyor in 1859. These evidences place the Indian Reservations within the State of Kansas; their width from north to south being 50 miles, according to the treaty.

From the surveying records on file in this office, it appears that the northern boundary of the Osage Reservation was originally surveyed from the northeast corner thereof, a random line having been first run from White Hair Village east, to the western boundary of the State of Missouri, 40 miles, intersecting it between the 102d and 103d mile post of the boundary. This survey was made by R. P. Beauchamp, Ass't Surveyor, in May, 1827. Subsequently, from May 26th to September 16th, 1836, the northern boundary of the Osage reservation, was partly retraced from the northeast corner thereof, and extended west 124 miles, to the left bank of the Arkansas river, as the terminus of the survey of the north line of the Osage lands, by John C. McCoy, under orders of Gen. Wm. Clark, Superintendent of Indian Affairs, at St. Louis, Mo. Finally, in closing the lines of the public survey in Kansas, upon the northern boundary of the Osage and Cherokee neutral lands, in 1859, it was found necessary to ascertain the lines and retrace them. Accordingly Deputy Surveyor Geo. C. Van Zandt was dispatched by the Surveyor General of Kansas and Nebraska, for that purpose, who, in the months of May, June and July of that year, re-established the north-east corner of the Osage reservation, by actual admeasurement of the ten miles north from a point due east of White Hair Village, and twenty-five miles west of the western boundary of the State of Missouri, and re-surveyed the same due west to the intersection with the guide meridian, east of the 6th principal meridian, 75 miles and 8 90:100 chains, and surveyed the northern boundary of the Cherokee neutral lands, starting from the northeast corner of the Osage lands, due east to the intersection of the Missouri State line, four miles south of the fifth standard parallel south, the length of the line being 24 miles and 74 61:100 chains, south of the 92d mile of the western boundary of the State of Missouri Deputy Van Zandt, in his field notes of the survey, states that Mr. Aikin, the Osage interpreter, who was with Major Langham, the original surveyor, when he started his random line east from White Hair Village, situated on the right bank of the Neosho River, pointed out the site of the old White Hair Village, the point at which Major Langham started his line. "After identifying the village mentioned in the treaty of June 2d, 1825, Mr. Van Zandt established the northeast corner of the Osage reservation, it being by actual measurement, ten miles north of the White Hair Village, from a point due east, and 25 miles west from the western boundary line of the State of Missouri. The correctness of the admeasurement was proved by finding on the north boundary of the Osage lands "a white oak, eighteen inches in diameter, marked on the east and west sides with a blaze, and two chops in each blaze, noted by McCoy" in 1836; this tree being seven links south of Van Zandt's random line west from the northeast corner of the Osage lands, and at the distance of 9 miles 53 82:100 chains from the same, Mr. Van Zandt being entirely satisfied of the correctness of his survey, as to the northern boundary line, offsetted south his random line west to the extent of the aforesaid seven links, and assuming the tree nine miles and 40 chains west from the northeast corner, per McCoy's survey of 1836, and the original survey by Major Langham having been identified by many mounds existing in 1836, Mr. Van Zandt continued his due west course to the intersection of the guide meridian east of the 6th principal meridian. From the foregoing it appears that the northern boundary of the Osage reservation, under the second article of the treaty of June 2d, 1825, was properly established---that its distance from the 40° of north latitude, as the common boundary line between Kansas and Nebraska, which is also the principal base for the survey of the public lands therein, astronomically established in 1854, by Captain T. J. Lee, Topographical Engineer U. S. A., is 154 miles, which taken from 207 miles, the product of three degrees of the meridian, from the 37° to 40°, north latitude, would leave 53 miles as the distance from the northern boundaries of the reservation, as now marked in the field, to the southern boundary of the State of Kansas, affording sufficient extent for the breadth of 50 miles, for the Osage lands, as provided in the treaty.

I have the honor to be, very respectfully, &c.,

(Signed.)

J. M. EDMUNDS, Com'r.

STATE OF KANSAS, EXECUTIVE OFFICE,  
TOPEKA, September 15th, 1865.

DEAR SIR: Sometime ago I referred the question as to the boundary lines of the Osage and Cherokee reservations to the Secretary of the Interior, at Washington, which was by him referred to the Commissioner of the General Land Office, and he reported adverse to our claims, taking the survey and report of Deputy Surveyor Geo. C. Van Zandt, as his basis, and ignoring previous surveys. The only way we can settle the question definitely is, to ascertain the exact locality of the "old White Hair Village," its distance from the western boundary line of the State of Missouri, and the 37° or southern boundary of Kansas. Also the location of the subsequent villages laid out and called by the same name of White Hair Village. If you will, at your earliest convenience, go down and ascertain these facts, together with the names and location of parties now living, who know them to be true, and report them to me, (in person if possible,) I shall be able to have a new survey made and the boundaries of these reservations properly established. I am satisfied that a great fraud has been committed, and think we should use every effort to have it corrected. Answer.

Yours truly,

(Signed.)

TO G. J. ENDICOTT.

S. J. CRAWFORD, Governor of Kas.

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*To His Excellency, Governor S. J. Crawford:*

SIR: In accordance with your instructions, I proceeded to ascertain the bounds of the Osage and Cherokee neutral lands, and have the honor to report that during the month of November, 1865, I proceeded, in company with John A. Cramer, Wm. Howard, Jacob Youstler, John Q. Adams and George W. James, to ascertain, by actual survey and admeasurement, the exact boundary line of the Osage Indian reservation, and the Cherokee neutral lands; also the Seneca, Quapaw and Shawnee reservations.

The first and most important question for us to determine, was the exact location of the original "old White Hair Village," the place designated in the Osage treaty of June 2d, 1825, as the starting point for the described boundary of their reservation, and from which the boundary line of the Cherokee neutral lands is established.

Starting at a point on the western boundary line of the State of Missouri, 136 1/2 miles south from the Missouri river, and 41 1/2 miles north from the southwest corner of the State of Missouri, thence running on a due west line for twenty-seven miles, to the original "old White Hair Village," which is situated on the right, or west, bank of the Neosho river.

From the "old White Hair Village" to the 37th° of north latitude (the southern line of the State of Kansas) is eleven and a half miles but to the present survey of said line, only four and a half miles.

At this village I found three mounds of stone, and a large mound of earth with stone in the center, which, I am satisfied, was the original starting point for the boundary line of the Osage reservation.

The southeast corner of the Osage lands is the same as the southwest of the Cherokee neutral lands, which is found by starting at the southwest corner of the State of Missouri, thence north, on said line of Missouri, one and a half miles, to Honey creek---first running water---(original southeast corner of the Seneca lands,) thence west to a large mound of earth, originally seven feet square and six and a half feet high, with a rock in it, on which is inscribed Cherokee lands, west of which mound (about forty chains,) is a mass of rock. Running from said mound of earth twenty-five miles east to a rock and three post oak trees, thence north fifty miles, to a mound of earth, originally six feet square and five and a half feet high, thence west twenty-five miles, to the northeast corner of the Osage lands, which is a mound of earth six feet square and five feet high. No timber in the vicinity.

And I further state that the Cherokee Neutral Lands now embrace within their limits all the Seneca, Quapaw and Shawnee reservations.

I also superintended the running of the line from George White Hair Village to the west line of the State of Missouri, 32 miles, 71 chains and 29 links, striking said line of Missouri 19 chains and 50 links south of mile stone 111 from the Missouri river. From a number of the oldest Indians in the Nation, including a grand-son of the "Old White Hair," and a son of George White Hair, who laid out and located the present White Hair Village, which stands on the west bank of the Neosho River, about 33 miles west of the State line of Missouri, and from the house of George White Hair to the State line of Missouri, 32 miles, 71 chains and 29 links, and about 29 miles north of the original "Old White Hair Village." It was from the village laid out by George White Hair, a son of the original White Hair, that Deputy Surveyor General George C. Van Zant is supposed to have started his line when he surveyed these lands in 1859.

(Signed)

G. J. ENDICOTT.

### *Immigration.*

This subject should receive due and careful consideration at your hands. No State in the Union offers greater inducements to immigrants than Kansas. It contains as many square miles as England, Scotland and Wales combined, with their population of about 30,000,000, or as Greece, Belgium, Holland, Denmark and Switzerland, with their population of about 20,000,000. Not more than one-third of the land has, as yet, been offered at public sale, and only about one-half of that amount sold, leaving about five-sixths of the 88,000 square miles subject to be taken under the Pre-emption or Homestead Law. It is not justice to the State that these lands should be bought into market and fall into the hands of speculators, but should ever remain subject to the Homestead and Pre-emption Law. It should be the policy of the State to adopt such measures as will best diffuse a knowledge of the very great advantages and inducements which it offers to citizens of other States and emigrants from Europe. The area is great enough to contain a population of 2,000,000, and to give to the head of each family, (at average rates), the proprietorship of 160 acres of land.

To you is committed in a great measure the trust of moulding the future character and destiny of our State, and of making such judicious laws as will result in the greatest good, not only to us as a people, but to the honest citizen and the industrious mechanic, who are now uncomfortably crowded into the large cities of our Eastern States, and to the downtrodden and oppressed of foreign lands who are seeking an asylum on our shores, who, did they but know and comprehend the great advantages here offered, would hasten to avail themselves thereof.

I do recommend an adequate appropriation that will justify the employment of the best talent in the State in the preparation of a pamphlet for gratuitous distribution, and for the employment of a suitable agent in the older States, to induce immigration, by the presentation of facts relating to our agricultural and grazing advantages, mineral resources, &c. The great advantages resulting from the labors of a faithful, energetic agent, cannot be over estimated. The agent should be required to make and transmit a written report, during the first week of each month, of the labors of the preceding month, so that if, at any time, in the opinion of those having the appointing power, the said agent is not faithfully discharging his duty, or that the arrangement is not likely to result beneficially to the State, he may be recalled.

### *Counties.*

I recommend that you establish new counties westward to the 100th meridian of longitude, and urge upon the proper Federal authorities the urgent demand and necessity of extending the surveys to that point at the earliest possible moment. Congress would unquestionably, upon the proper presentation of the facts, make the necessary appropriations. This would enable settlers to pre-empt, or enter under the provisions of the Homestead Law, and greatly facilitate the labor at the land office.

### *Education.*

Liberal and judicious legislation in behalf of our educational interests is the highest economy of the State. "In such things, to be mean is to be poor---to be generous is to be rich." I commend the policy of the people of the State in deciding at the ballot box in favor of the sale of the school lands. The present generation is, above all, entitled to the benefit of these lands. If we provide for the education of the present, we need entertain no apprehensions in regard to coming generations. To educate this, is the best investment for those to follow.

### *Deaf Mutes.*

I herewith transmit the report of Professor Mount, of the Deaf Mute Institute, for your consideration. This unfortunate class of our citizens should be the recipients of every provision which it is possible for the State to make for their well-being.

### *Penitentiary.*

The commissioners settled with the parties contracting to build one wing of the Penitentiary, in accordance with the provisions of an act passed by the last Legislature, and released them from further prosecution of the work. The board advertised for proposals to complete a certain portion, but did not consider themselves justified, under the circumstances, owing to high price of material, labor, &c., and the short time intervening until the assembling of the Legislature, to re-let the work, but to secure from damage the work already done, and await your action. The great need of a good and substantial Penitentiary is apparent to all. I recommend your careful consideration of the objections urged by my predecessor, Gov. Thos. Carney, in his last annual message, which are herewith given:

"Upon examination, however, of the forty acres of land selected by former commissioners, on which to erect the building, it has been considered not merely inconvenient, but unfit. The penitentiary being a very important work to the State, and on which a large sum of money must be expended, the Directors, with this objection before them, thought it best to delay action until you could instruct them what to do. The necessity of having a penitentiary is admitted. The want of jail room and the increasing number of convicts make it a matter of economy. There should be a building erected, and it should be erected in a suitable place. A false step, either as to the building or its location, would work serious mischief--not so much in the present as in the future. While you should act promptly in the matter, you will, I am sure, guard the State well against this injury.

"My objections to the present location are wholly of a practical character. It is isolated; and, in case of revolt or any sudden uprising of the convicts, there are no settlements around it which could render any aid to keepers or guards. Its distance from Leavenworth would prevent the employment of convicts as profitably as if near by, and certainly diminish the profit of their labor. The expense of hauling the material would be greatly increased. When completed, it will, doubtless, become a manufacturing establishment, and the carting of the raw material and the bringing back of the manufactured articles would diminish to a great extent the profits. Neither is there sufficient water near, which is highly essential.

"These difficulties would defeat the object we have in view, namely: not only that the institution should pay its own way, but that, in a fit location and rightly managed, it should in a few years be able to reimburse the commonwealth. These objections, it appears to me, must impress you with the importance of a change of location, and the more so, because the increased value of land will enable the directors to dispose of the forty acres without loss."

I further recommend an additional appropriation to the \$13,000 now in the treasury, for the completion of one wing at the earliest practical period.

Total confined in Penitentiary, as per report of 1865,	74
Pardoned,	8
Escaped,	8
Remaining,	58

I herewith transmit the Commissioners' report.

### *Capitol Buildings.*

By an act of the Legislature, approved March 2nd, 1863, the Secretary of State was authorized to contract with certain parties for the erection of a building in the city of Topeka, to be used temporarily for State offices, and to lease the same for a term of years. In accordance with the provisions of this act, the said parties erected as large, secure and substantial a building as could be done for the stipulated amount of rent, which was accepted, in accordance with the provisions of the act, December 25th, 1863. The building is now greatly out of repair; the State furniture is being damaged, and many valuable papers destroyed, for want of a good and sufficient roof. The records of the State---which, if destroyed, it is impossible to replace, the State library, furniture, &c., are wholly insecure, and liable at any time to be destroyed by fire. It is of the greatest importance that the records, public documents and other property belonging to the State should be well secured. This can only be done by the erection of a fire proof building.

I therefore recommend that an appropriation be made, wherewith to commence the erection of one wing of a capitol building, to be constructed of the best and most substantial material, and in every way suitable for the purposes intended. Such will ultimately prove true economy for the State.

### *Railroads.*

The introduction of railways into our State is doing more towards its rapid development in agricultural and mineral resources and in general wealth, than any other instrumentality. The grand projects of railway communication with the Pacific, the Gulf of Mexico and Santa Fe, are of the greatest importance to Kansas; and every facility that the people or the Legislature can furnish towards the speedy construction of these great enterprises should be afforded promptly and generously.

These great highways, crossing our State from east to west and from north to south, with ultimate termini at San Francisco and Galveston, are already engaging the minds of the ablest public men, not only in this State, but the Nation. I trust a liberal spirit will be exercised in the adoption of such legislation as may be necessary to secure the completion of these grand enterprises. Such other railroad projects within the State as commend themselves to your consideration will, I trust, receive such legislative benefits as their and each of their claims may require.

Gentlemen, before concluding, let me urge upon you the importance of sustaining the Federal Administration in every good and laudable effort to preserve the Nation's dignity and maintain its honor. The maintenance of the Nation's honor is our glory---its disgrace is our dishonor. Treason is the highest crime known to law, and such an example should be made of the principal leaders of the rebellion as to forever declare to future generations that those guilty of so great a crime shall suffer the extreme penalty of the law. The enforcement of the Monroe doctrine is intimately connected with the highest interests of man, and our National honor *demand*s it. And may the Great Ruler give unto all in authority wisdom to so direct the affairs of Nation and State that the greatest good may be accomplished.

I embrace this opportunity to return, through you, my hearty thanks to the people of this State, for the consideration and kindness shown me while endeavoring to discharge the duties entrusted to me during the past year.

S. J. CRAWFORD.

Topeka, Kansas, January 10, 1866.