

ANNUAL MESSAGE  
OF THE  
GOVERNOR OF KANSAS,  
TO THE  
LEGISLATIVE ASSEMBLY OF THE STATE  
AT ITS  
ANNUAL SESSION,  
HELD AT TOPEKA, A. D. 1868.

---

*Gentlemen of the Senate and House of Representatives:*

I again welcome you to these legislative halls, where questions of grave importance, involving the lives and property of our people, and the interests of the entire State, await your deliberations.

During the past year our citizens have been blessed with health and abundant harvest. Every branch of industry has been prosecuted with vigor and success. The benefits of our educational system have been extended to all, and the elevating tendencies of true religion have been exemplified in every town and district of the State, through the energetic and self-denying exertions of devoted ministers of the gospel.

For these favors, blessings and mercies, and for the manifold other privileges vouchsafed to this people, we should present the offering of grateful hearts to Almighty God.

In entering upon the discharge of your official duties at the beginning of a new year, which opens full of hope for our country, I trust that each one of you will renew his solemn vows of fidelity to the nation, and sincerely resolve to make the permanent welfare of the State the chief aim and purpose of legislation.

I herewith transmit the reports of the several State officers.

FINANCE.

The subject of finance needs your careful attention and consideration.

The tax levied in 1867 was four mills on the dollar upon all property in the State subject to taxation. The aggregate amount of taxable property in the State, as per abstract of county clerks, and as fixed by the State Board, is fifty-six million two hundred and seventy-six thousand three hundred and sixty dollars (\$56,276,360). Four mills on the dollar upon this amount of property is not sufficient to meet the demands upon the Treasury, as will be seen by reference to the able reports of the Auditor and Treasurer of State. The taxable property in the State is believed to amount to one hundred million dollars (\$100,000,000), whereas, as has already been stated, but fifty-six million two hundred and seventy-six thousand three hundred and sixty dollars (\$56,276,360) has been returned. If such be the fact, there is evidently a glaring defect either in the present tax law itself or in the manner of its execution, which should receive the earnest attention of the Legislature, in order that the burden of taxation may be made to bear equally and justly upon all, in proportion to the real value of their taxable property.

The liabilities and resources of the State are as follows:

								LIABILITIES.
Am't of 7 per cent.							bonds issued under act of 1861-due July 1st, 1876,	\$150,000.00
"	"	7	"	"	"	"	1863 " Mar. 20, 1878,	54,000.00
"	"	7	"	"	7	"	1864-due July 1st, 1884,	100,000.00
"	"	7	"	"	7	"	1866 " " " 1886,	40,000.00
"	"	7	"	"	7	"	1864 " " " 1884	50,000.00
"	"	7	"	"	7	"	1866 " " " 1886,	60,000.00
"	"	7	"	"	7	"	1866 " " " 1896,	70,000.00
"	"	7	"	"	7	"	1867 " " " 1897,	100,000.00
"	"	7	"	"	7	"	1867 " " " 1897,	100,000.00
"	"	7	"	"	7	"	1867 " " " 1887,	15,500.00
"	"	6	"	"	6	"	1863 " " " 1883,	59,800.00
"	"	6	"	"	6	"	1864 " " " 1884,	39,675.00
"	"	10	"	"	10	"	1866 " " " 1876,	5,500.00
"	"	Bonded liabilities						\$844,475.00
"	"	State warrants outstanding November 30, 1867						148,225.92
"	"	Territorial " " " " "						8,851.69
"	"	Military " " " " "						517.21
Total Liabilities								\$1,002,069.82
From which deduct am't exp'd for war purposes, bonds 1861								\$31,000.00
" " " " " " " " bonds 1864								100,000.00
" " " " " " " " bonds 1866								40,000.00
" " " " " " " " State warrants								148,225.92
" " " " " " " " Territorial warrants								8,851.69
" " " " " " " " Military warrants								517.21
Total								\$328,594.82
Leaving a bonded indebtedness of								\$673,475.00
								RESOURCES.
Taxes due for previous years								\$137,074.07
Taxes due for 1867								225,105.44
Credit to State by General Government								9,360.82
Due from Gen. Gov. for money, expended during the war								163,887.02
Interest on money from General Government								40,000.00
Total								\$575,427.35
Liabilities over assets								\$426,642.47
								GENERAL REVENUE AND SINKING FUND.
Balance in the treasury November 30, 1866								\$8,964.77
Receipts of the year 1867								183,833.52
Total								\$192,798.29
								DISBURSED.
Coupons cancelled								\$43,350.50
State warrants cancelled								120,737.56
Interest on warrants cancelled								2,115.20
Balance of penitentiary funds of 1865 re-appropriated								12,938.61
Total								\$179,142.17
Balance in the treasury November 30, 1867								\$13,656.12

	ANNUAL SCHOOL FUND.
Balance on hand November 30, 1866	\$962.43
Receipts of the year 1867	54,959.27
Interest on permanent school fund	420.00
Total	\$56,341.70
	DISBURSED.
State warrants redeemed	\$46,592.10
Invested in accumulated interest on bonds	420.00
Total	\$47,012.19
Balance on hand November 30, 1867	\$8,909.51
	PERMANENT SCHOOL FUND.
Balance on hand November 30, 1866	\$114.15
Receipts of the year 1867	59,731.88
Total	\$59,846.03
	DISBURSED.
Invested during the year	\$59,766.59
Balance on hand November 30, 1867	\$70.44
	MILITARY FUND.
Balance on hand November 30, 1866	\$1,209.45
Receipts of the year 1867	22,054.00
Total	\$23,263.45
	DISBURSED.
Military warrants cancelled	\$22,387.78
Balance on hand November 30, 1867	\$875.67
	PENITENTIARY FUND.
Balance on hand from appropriation of 1865	\$12,938.91
Balance on hand from appropriation of 1866	\$13,272.48
Received from sale of bonds of 1867	\$89,329.16
Total	\$115,540.55
	DISBURSED.
Warrants redeemed and returned	\$115,540.55
	CAPITOL BUILDING FUND.
Amount received from sale of bonds	\$89,513.01
Amount received from sale of lands	\$1,750.95
Total	\$91,263.96
	DISBURSED.
Warrants redeemed and returned	\$91,158.61
Balance on hand November 30, 1867	\$105.35
Warrants outstanding and unpaid	75.00
Actual balance available	30.35

		RAILROAD FUND.	
Balance on hand November 30, 1866		\$4,408.10	
Amount received from sale of lands during the year 1867		8,754.95	
Total		\$13,163.05	
			DISBURSED.
By warrants cancelled			\$1,595.13
Balance in the treasury November 30, 1867		\$ 11,567.92	
		RECAPITULATION.	
		REC'D.	DISBURSED.
General revenue and sinking fund		\$192,798.29	\$179,144.17
Annual school fund		56,341.70	47,012.19
Permanent school fund		59,846.03	59,766.59
Penitentiary building fund		115,540.55	115,540.55
Capitol building fund		91,263.96	91,158.61
Military fund		23,263.45	22,387.78
Railroad fund		13,163.05	1,595.13
Whole amount received and disbursed		\$552,217.03	\$516,605.02
Total balance in the treasury November 30, 1867			\$35,612.10

### BONDS.

By an act of the last Legislature, approved February 26th, 1867, I was authorized to sell and dispose of the bonds of the State of Kansas to the amount of one hundred thousand dollars, (\$100,000), for the purpose of providing for the construction and completion of the north wing of the State Penitentiary. Also by an act approved February 13th, 1867, I was authorized to act as agent of the State in the sale of bonds of the State of Kansas, to the amount of one hundred thousand dollars (\$100,000), the proceeds of which were appropriated to the erection of the east wing of the Capital building.

I, therefore, in accordance with the provisions of said acts, sold thirty thousand dollars (\$30,000) of the bonds to the School Commissioners of this State, at the rate of ninety-one (91) cents on the dollar. In April last, I proceeded to New York, for the purpose of disposing of the remainder of the bonds. After considerable delay, I sold one hundred thousand dollars (\$100,000), through the banking house of Fisk & Hatch, at ninety-one (91) cents on the dollar, less the interest from date of sale to July 1st, the date of the bonds. The remaining seventy thousand dollars (\$70,000) not being needed at that time, were left on deposit in New York until September, when they were sold by Hon. J. R. Swallow, at ninety (90) cents on the dollar--the most that could be obtained for them at that time, and which was better for the State (reckoning the amount of interest thus saved) than to have sold them at ninety-one cents in April, when the other bonds were sold.

The proceeds of the sale of all of said bonds were paid over to the State Treasurer, as required by law.

### PRICE RAID CLAIMS.

In accordance with an act of the last Legislature, approved February 26th, 1867, I appointed Col. D. E. Ballard, Hon. W. N. Hanby and Hon. W. H. Fitzpatrick as a special commission to re-examine the claims which had been audited and allowed by the former board.

On the 1st day of April last, the Commission met, organized, and entered upon the laborious task to be performed.

After a thorough and careful investigation and re-examination, which consumed the entire time allowed by law, the Commission made their report to me, on the first day of July, 1867; which report I herewith transmit, and from which I deduce the following:

Amount allowed for services		\$218,398.75
Amount allowed for services, supplies and transportation		81,682.32
Amount allowed for damages sustained		131,693.83
Amount allowed for property lost and miscellaneous		35,518.47
		<hr/>
Whole amount allowed by examining commission		\$467,293.37
Amount allowed by Price Raid Commission for supplies, transportation, property lost and miscellaneous	\$367,548.70	
Amount allowed by examining commission for supplies, transportation, damage, property lost, and miscellaneous	248,894.62	
		<hr/>
Difference		\$118,654.08

It will thus be seen that the awards of the Examining Commission are one hundred and eighteen thousand six hundred and fifty-four dollars and eight cents (\$118,654.08) less than the amount allowed by the Price Raid Commission. A portion of this discrepancy can doubtless be accounted for by an honest difference of opinion between the two boards in regard to the prices of material, supplies, &c.; while another portion, I regret to say, can only be accounted for by a package of forged or fabricated vouchers, amounting to some eighteen thousand dollars, which were placed in my possession by the Examining Commission when they made their report, in compliance with the law. These forged or fabricated claims purport to have been sworn to before the Secretary of the Price Raid Commission. Whether he has been imposed upon by unknown parties, is not for me to determine; but I respectfully refer the whole subject to the Legislature, with the earnest recommendation that a thorough and searching investigation be made of the entire affair, so as to prevent undue suspicion from attaching to those who might be farthest from the commission of such a crime. Besides, if the Commission should have been mistaken in judging these claims to be forged when in fact they were genuine, then an investigation is due, in order that the innocent may not suffer.

When the Commission reported to me in July, a few genuine claims were left outstanding. I would therefore suggest to the Legislature the propriety of authorizing some party to receive and allow such as may be just, in order that claimants may receive scrip therefor.

The last Legislature fixed the per diem and other expenses of the Examining Commission, but made no appropriation for the payment of the same. In order that the work should not be suspended, I borrowed from the military fund the amount allowed by the act, and paid the members of the commission and their clerk for their service. I would therefore recommend an appropriation sufficient to reimburse the military fund, together with a sufficient amount to pay the traveling expenses of the board, and additional clerk hire. The traveling expenses and additional clerk hire, as per statement of the board, amount to five hundred and twenty-four dollars and sixty-two cents (\$524.62.)

#### EDUCATION.

From the admirable report of the efficient Superintendent of Public Instruction, I gather the following brief summary, relating to the educational interests of the State:

	1866.	1867.
Number of school districts organized	986	1,172
Number of school districts reporting	871	1,056
Number of children between the ages of 5 and 21 years	54,728	62,838
Number of children enrolled in public schools	31,258	39,429
	1866.	1867.
Amount paid for teachers' wages	\$115,924.11	\$170,446.39
Amount paid for repairs, &c	32,463.21	42,824.42
Amount disbursed to counties from State annual school fund	31,054.24	47,961.36
Amount received by district tax for school purposes	192,620.17	273,057.18
Amount accruing for the support of public schools	253,614.56	342,271.92
	<hr/>	<hr/>
Total value of school houses	318,897.31	573,690.08
Estimated value of school apparatus	7,614.38	18,754.56
Amount of permanent school fund invested	30,071.56	66,725.00

In addition to the above, there are a number of graded schools throughout the State, in successful operation.

The colleges, as will be seen by the report of the Superintendent, have enjoyed a year of marked prosperity.

The State University, located at Lawrence, is rapidly developing into a first-class institution. During the past year one hundred and five (105) students were enrolled, and two additional professors elected. A preparatory department has been organized, and a collegiate course prescribed. Valuable additions have been made to the apparatus and cabinet of the institution.

The Agricultural College, located at Manhattan, has one hundred and seventy-eight (178) students enrolled; of these, one hundred and thirty-seven (137) are in the scientific and academic course, fifteen (15) in the preparatory department, and twenty-six (26) under-graduates in the full collegiate course. This shows an increase of twenty-eight (28) students since the last report.

Every effort is being made by the Regents and Faculty of the institution to put the agricultural and military departments in operation. In accordance with the provisions of an act of Congress, approved July 28th, 1866, Brevet Major General J. W. Davidson, of the United States Army, has been detailed to this college, by the Secretary of War, as Professor of Military Science. Under the supervision of an officer so able and efficient as Gen. Davidson has proved himself to be, the military department of the Agricultural College will soon be brought to a standard as high as that of similar institutions in the older States.

The State Normal School, located at Emporia, has been in successful operation for three years. During the past year one hundred and twenty-five (125) students were in attendance at the normal department, and twenty-seven (27) at the model school--making in all one hundred and fifty-two (152.) The new Normal School building, which will suitably accommodate all who may desire to attend, was dedicated on the second day of January, 1867. This institution is doing an excellent work, and should be encouraged by the Legislature, and by every citizen of the State.

Each of these institutions, viz: The State University, Agricultural College, and the State Normal School, was opened under the most favorable auspices, with a competent corps of experienced professors.

The State University has a land grant of	46,080 acres.
The State Agricultural College has a land grant of	90,000 acres.
The State Normal School has a land grant of	37,760 acres.

With these endorsements, and such judicious legislation as may be deemed necessary by the Legislature, the institutions cannot fail to meet the highest expectations of the friends of education.

There are, also, in different portions of the State, a number of private and denominational schools and colleges, the condition of which will be shown by the report of the Superintendent of Public Instruction. All of these institutions are represented as enjoying an encouraging degree of prosperity.

The Superintendent gives the following as the amount of public lands due the State, for the benefit of public schools:

Amount due the State in lieu of 16th and 36th sections settled upon in the Osage Land Office District, prior to survey	2,764 31-100 acres.
Amount due for deficiency in townships made fractional by the Missouri river	4,640 acres.
Total to be selected	7,404 31-100 acres.

I join in the recommendation of the Superintendent, that some provision be made for the selection of these lands at as early a day as possible.

I respectfully invite the attention of the Legislature to that portion of the Superintendent's report which adverts to the losses accruing to the public school endowment by reason of settlements on the western border running in advance of the survey. Congress protects the settlers in their possession of the 16th and 36th sections, provided they have made homes upon the same prior to survey; and as the best lands are always selected for settlement, the "equivalent" which the public schools receive is scarcely more than an equivalent in name. It seems to me that Congress should make the school lands an exception in the operation of the law upon this subject. However this may be, the rapid extension and speedy completion of the survey of the public lands within the State is eminently desirable, and I trust that the Legislature will use its influence to secure this result.

In taking leave of this subject of education, I cannot exaggerate its importance or too earnestly commend it to your considerate and protecting care. The rapidity with which our educational system has been developed, and its undelayed advance toward that perfection at which we aim, are matters of sincere congratulation, and amply attest the wisdom of the principles on which that system is founded.

### INDIAN DEPREDATIONS.

In my last annual message, the attention of the Legislature was called to the fact that frequent murders and outrages had been committed by Indians on our western and southern borders; and also to the defenseless condition of the frontier, in the event of future trouble. The Legislature, however, adjourned without taking definite action on the subject, leaving the settlements exposed and liable at any time to be overrun and devastated by roving bands of hostile Indians.

Early last spring, as had been previously anticipated, the Indians began to concentrate their forces for the purpose of a general war against the whites, and also for the purposes of preventing the construction of the Pacific Railroads, and, if possible, destroying the "commerce of the plains." Having received such information, I immediately notified Generals Sherman and Hancock of the same, and called upon them for the protection of the border. In reply, I received the following communication from General Hancock:

HEADQUARTERS DEPARTMENT OF THE MISSOURI,  
IN THE FIELD, NEAR FORT DODGE, KANSAS, APRIL 27th, 1867.

*To His Excellency, Gov. S. J. Crawford, Governor of the State Of Kansas, Topeka, Kansas :*

SIR: I have the honor to acknowledge the receipt of your communication, forwarding the letter from Mr. E. C. Straight, dated Marion Center, March 22d, 1867; also a former petition of some citizens of Southwest Kansas, asking for protection from the Indians of the plains. You will have received a reply from me before this time on this subject, but that the papers above referred to were prevented from reaching me sooner on account of my having been constantly moving since the 25th of March.

I have recently stationed a company of cavalry at Fort Larned, with instructions to patrol the country in that vicinity, and about the 1st of May will have another company of cavalry stationed on the Little Arkansas, to patrol the line of that stream for the security of that region of country. With the troops I have at my disposal at present, this is about all I can accomplish in this matter, and I trust this may be sufficient. Other movements of troops that are now taking place against the Sioux and Cheyennes between the Arkansas and Platte, will no doubt assist in keeping the Indians of the plains quiet, and prevent incursions into the settlements.

I am, sir, very respectfully, your obedient servant,  
(Signed)

WINFIELD S. HANCOCK,  
Major General U. S. A. Commanding.

In addition to the above letter, I also received a copy of an order, detailing two companies to be stationed on the northwestern frontier, with instructions to patrol the country across from the Republican to the Solomon and Salina rivers; and soon thereafter I received information from the General saying that another company had been stationed in the southwest, with instructions to protect and guard that portion of the State.

These companies, together with all other troops on duty in this department, did everything in their power to prevent Indian depredations; but having a border of two hundred miles in length, the public thoroughfares from Kansas west, and the working parties on the Eastern Division of the Union Pacific Railroad, to protect, they were inadequate to a work of such magnitude.

Portions of five tribes of hostile Indians, viz: the Cheyennes, Kiowas, Arapahos, Sioux and Comanches, allied for the purposes of war and crime; thoroughly organized, armed and equipped, and regularly receiving their annuities and other supplies from the Government, under treaty stipulations, constitute the main force which has been operating with such deadly effect in Western Kansas.

For a fuller discussion of the Indian question, I refer the Legislature to a copy of my letter to Senator E. G. Ross, dated June 29th, 1867; and for a detailed statement of many of the outrages committed, to a copy of my report to the Peace Commission--both of which are herewith submitted. It is proper to add, however, that the report alluded to gives only a partial statement of the terrible atrocities which were actually perpetrated.

By the 20th of June, the hostile Indians, having succeeded in murdering and scalping hundreds of men, women and children--in capturing or destroying property to the value of millions of dollars, and in completely blockading the routes of travel (except when opened by military escort), from Kansas to the mineral States and Territories west; and believing, as (judging from the past) they had reason to believe, that they would be sustained by the continued leniency and inefficiency of the policy of the Government--became so emboldened as seriously to threaten the destruction of our entire western border, and of the Union Pacific Railway, Eastern Division, west of Fort Harker.

I, therefore, having visited these localities, and observed the necessity for additional protection, immediately notified the Secretary of War of the fact, and tendered him volunteers for this purpose. He declined doing anything, but replied that General Sherman was charged with military operations against the Indians. Whereupon I telegraphed General Sherman, renewing the offer of troops, and on the 28th of June received, through Brevet Major General Smith, authority to raise a battalion. Upon the 29th this authority was revoked, and I then wrote the letter to Senator Ross, a member of the Committee on Indian Affairs of the United States Senate, to which reference has already been made. During the afternoon of the same day, having received information from the west that the Indians were still committing depredations, I sent the following dispatch to General Sherman:

TOPEKA, KANSAS, June 28, 1867.

*Gen. W. T. SHERMAN, St. Louis, Mo.:*

The following dispatch was received from Col. Shoemaker:

“LEAVENWORTH, KANSAS, June 28, 1867.

*Governor Crawford:*

The following dispatch has just been received from Wilson's Creek, 18 miles west of Harker:

FORT HARKER, KANSAS, JUNE 28, 1867.

*R. M. SHOEMAKER, Leavenworth, Kansas:*

My camp was attacked yesterday at 7 a.m., by Indians. We lost one killed--John Kesler, from Springfield, Ohio--and George Waite badly wounded. Five or six Indians were killed. I leave here to-night with more soldiers for our protection. Kesler's body is here.

J.B. RILEY, Res. Eng.'

Unless our men are promptly protected, all the men will be driven off the road, and the citizens out of the country.

R. M. SHOEMAKER."

General Smith, this morning, recalled his requisition for volunteers. This leaves our frontier settlers, railroad men and all others in Western Kansas, exposed, and liable to be murdered and scalped at any moment. What shall we do? I cannot move against the Indians with militia, but will, if desired, furnish the Government with a volunteer force sufficient to put an end to these outrages. The Secretary of War informs me that full power is vested in you, and the management of the whole affair committed to your discretion. If so, I do earnestly hope you will call out a volunteer force and move against the Indians at once.

S. J. CRAWFORD.

On July 1st I received the following reply to the above dispatch:

SAINT LOUIS, JUNE 29, 1867.

*Governor Crawford:*

You may call out a volunteer battalion of six or eight companies, mounted, to be at end of track on Saturday next. I will come in person.

W. T. SHERMAN, *Lieutenant General.*

Whereupon I immediately commenced the work of organizing a battalion, to which I shall refer more particularly hereafter.

While the hostile Indians of the plains were thus operating, a number of thieving, roving bands of the Osage, Otoe, Wichita and Pawnee tribes, were engaged in stealing horses and other property from citizens in the sparsely settled portions of Southern and Western Kansas. I herewith transmit a mass of letters, petitions and affidavits, showing that a large number of our citizens have been robbed of their property by these prowling bands, who are under the protection of the Government, but claim to owe no allegiance to the State of Kansas.

It is the duty of the General Government to protect all its citizens, in their lives and in the possession of their property, against the encroachments of those over whom the Government has exclusive control. A failure in this regard on the part of the Government necessarily and justly entails upon the State the exercise of a high prerogative and the performance of a sacred duty--I mean to guarantee the amplest protection to every citizen within her borders. I will co-operate with the Legislature, to the extent of my power, in any and every just measure to secure this result.

That these savages should be permitted to capture and carry away helpless women and children, inflict upon them the most barbarous treatment, and then sell them back to the Government for costly presents, is not only an outrage upon civilization, but a burning disgrace to the whole nation.

The results of the negotiations of the late Peace Commission have been promulgated, and substantially made known to the country. Whether the treaties made have effected a peace which will prove permanent, or whether, when spring returns and the grass springs up, these Indians of the plains, clothed, armed, equipped and supplied by the liberality of the Government, will again engage in active hostilities, remains for the future to determine. While I do not disguise my apprehensions of danger, I most sincerely trust it will be wholly averted.

#### STATE MILITIA.

I herewith transmit the reports of the Adjutant, Quartermaster and Paymaster Generals of the State. By reference to the report of the Adjutant General, it will be seen that a full list of all officers and soldiers, accompanied by a complete history of each regiment and battery in the service from Kansas during the late war, is now in process of publication. This report will consist of two volumes, containing twelve hundred pages each, and is being published in compliance with a joint resolution of the last Legislature.

The events of the past have demonstrated that a well organized militia is necessary to the security of a free State. Governments which derive their support from the people are morally bound to insure the fullest measure of protection to that people. Duty, interest, honor and State pride alike demand that the safeguards which the law throws around the citizen should be as faithfully maintained in Kansas as in the older States. If, as many anticipate, the Indian war is to be renewed, we should at once make all necessary preparation for the protection of our borders. This cannot be done under the present militia organization.

I would, therefore, respectfully recommend that you provide for the organization of at least four regiments of cavalry, one regiment of infantry, and one company of artillery, to be armed and equipped by the State, and held ready for active service whenever occasion may require. Each regiment should be required to meet in camp, for drill, discipline and inspection, at least once every month; and should receive pay from the State for the time necessarily employed in this manner. With such a force we can protect the State; without it, we can not; nor can we securely rely for that protection upon the General Government, at last until a radical change shall have been effected in its present Indian policy.

The battalion of the 18th Kansas Cavalry, called into service upon a requisition from Lieutenant General Sherman, consisted of four companies, commanded by Major Horace L. Moore. The battalion was mustered into the United States service, at Fort Harker, on the 15th day of July last, for a period of four months, and served the State and Government faithfully, receiving the highest commendations from district and department

commanders. When this battalion was called out, the demand for troops was so pressing that the time given for its organization was necessarily short. Nevertheless, I commenced the work, determined, if possible, to send forward the required number of men within the specified time. Men were readily obtained, but great difficulty was experienced in procuring good, serviceable horses at that season of the year. I, therefore, having been notified by recruiting officers of this fact, and called upon by them for assistance from the State, directed recruiting officers to have the men furnish their own horses, so far as they could possibly do so; where this could not be done, to assist them in purchasing good, serviceable horses at reasonable rates, the State to be security for the payment.

I adopted this course, believing that the Legislature would prefer to provide for the payment of such claims, rather than that I should incur the expense of calling out the militia, or suffer the work of death and desolation to go on in Western Kansas. I submit the whole subject for your consideration; if the course pursued merits the approval of the Legislature, I trust that an appropriation will be made sufficient to pay the men who were liberal enough to assist the State in time of need. In order to provide means to pay these claims, other necessary military expenses, and for the defense of the border, I would suggest the propriety of issuing the bonds of the State to the requisite amount.

### PUBLIC INSTITUTIONS.

I herewith submit the report of the Trustees of the Deaf and Dumb and Insane Asylums, to which your attention is invited. These institutions, under the care and management of the Trustees and other officers in charge, have been materially improved during the past year.

The Deaf and Dumb Asylum, located at Olathe, is in a more flourishing condition than any other of our charitable institutions, from the fact that the Legislature provided for the erection of a building suitable for the accommodation of all that class of persons in the State. Twenty-five (25) pupils were in attendance during the year.

The Insane Asylum, located at Osawatomie, is also in successful operation. Twenty-two (22) patients were in attendance during the year, of whom ten have been restored to health and discharged, two partially restored and discharged, while ten still remain in charge of the institution. There is quite a large number of this class of unfortunates in the State, and the present building is entirely inadequate to their accommodation. The report of the Trustees shows that of the number applying for admission during the year, thirty-eight were turned away for want of room. This condition of affairs should be remedied promptly.

Under the provisions of an act of the Legislature, approved February 26th, 1867, I appointed F. P. Baker, Fred. Speck and William Larimer as a board of directors of the Blind Asylum. For a detailed statement of the operations of the board, I respectfully refer to their report, which may be found on file in the office of the Secretary of State, to whom, for some unascertained reason, the law required the same to be transmitted. The institution having been previously located at Wyandotte, the last Legislature appropriated the sum of ten thousand dollars (\$10,000) for the purpose of erecting a suitable building. The directors, as I am informed, have, as required by law, completed a good substantial building, sufficiently commodious to meet the present wants of the State. The cost of erection exceeded the amount of the appropriation eight hundred and thirty-five dollars and forty-four cents (\$835.44). This amount, together with a sufficient sum to pay the directors for their services, and to meet the wants of the institution during the present year, should be appropriated by the Legislature.

These several institutions--the Deaf and Dumb, Insane and Blind Asylums--are dependent upon, and especially need your faithful consideration and humane care.

As required by an act of the Legislature, approved February 26th, 1867, I appointed a board of directors of the State Penitentiary, consisting of T. C. Sears, of Leavenworth, M. R. Dutton of Jefferson, and A. Lowe, of Doniphan. I also appointed E. T. Carr, Architect, and George H. Keller, Warden.

As section 16 of the act above referred to required the directors to report to the Secretary of State, I am unable to give an official statement of the operations of these officers. Section 16, article 1, of the Constitution, provides that "The officers of the Executive department, and of all public State institutions, shall, at least ten days preceding each regular session of the Legislature, severally report to the Governor, who shall transmit such reports to the Legislature." I would, therefore, suggest the propriety of amending the law relating to the penitentiary so as to make it conform to the Constitution.

When the reports of the officers of this institution shall have reached your body, you will be fully advised as to its past operations, present condition and future needs. With these facts in your possession, and guided by the experiences of the past, you will be enabled to legislate intelligently and effectively as regards this institution, which is of great and constantly increasing importance. The paramount considerations to be kept in view, are the observance and maintenance of a rigid system of economy; the profitable employment of the large number of convicts and the economical support of the same. The act of last session, providing for the government of the penitentiary, seems to have been loosely drawn, and is defective in several important particulars. These defects should be remedied, and the law made harmonious in its various provisions.

### CAPITOL BUILDING.

The work upon the capitol building has been prosecuted with all possible dispatch. The present contractors, Messrs. Bogart & Babcock, have evinced an earnest desire to comply strictly with the terms of the contract under which they are operating. The work is, in itself, a sufficient recommendation. The architect and commissioners have also performed their respective duties energetically and wisely. Under the supervision and management of these gentlemen--commissioners, architect and contractors--with a sufficient appropriation, the building can be completed and ready for occupancy at the assembling of the next Legislature. The public interests require that this should be done. The buildings now occupied for State purposes are greatly out of repair and in nowise suitable for the uses to which they are applied. The records and archives of the State have already been seriously damaged, while the whole are liable at any time to be destroyed by fire. Besides, the term for which these buildings were leased will expire on the 25th of December next. The wing of the new capitol, now in process of construction, will doubtless afford ample accommodations for the Legislature and the several Executive offices for years to come; and I am confident that it would be sound economy to complete it at the earliest practicable moment. Public enterprises which are delayed from year to year are invariably more costly in the end than when prosecuted with vigor, and speedily consummated.

I therefore recommend an appropriation of the requisite amount to complete and furnish the east wing of the new building.

### RAILROADS.

The people of Kansas have reason to congratulate themselves upon the rapid advance of railway communication into and through the State. No State in the Union has ever before, in the same length of time, made such progress in the construction of railroads as Kansas has done during the past three years. In January, 1865, there were but forty miles of road completed within the State. To-day we have five hundred and twenty-three (523) miles in successful operation, with an additional one hundred miles graded and almost ready for the iron.

The Union Pacific Railway, Eastern Division, running from Wyandotte west, along the valleys of the Kansas and Smokey Hill rivers, has been completed to within thirty-five miles of the western boundary of the State, a distance of three hundred and thirty-five miles; together with a branch road from Leavenworth to Lawrence, a distance of thirty-three miles--making in all three hundred and sixty-eight, as against about one hundred and thirty miles completed one year ago. The road is graded in a workmanlike manner, and constructed with the best material used for such purposes. The iron is of superior quality, and the rolling stock now upon the road--of which there are twenty-five locomotives, seven baggage, twenty-one passenger, and six hundred freight cars--is as good as that used upon first-class roads in the East. During the year ending October 31st, 1867, the earnings of the road amounted to one million six hundred and twenty-five thousand one hundred and fifty-six dollars and thirty-two cents (\$1,625,156.32). This road would have been much farther advanced but for Indian troubles along the line during the past year.

The Central Branch, Union Pacific Railway, running west from the city of Atchison, through a rich, fertile country, to the Republican valley, and thence in a northwesterly direction, intersecting the Pacific road at or near the one hundredth meridian, is also being pushed forward rapidly. Ninety miles of the road are already completed and in operation, with a sufficiency of rolling stock for the accommodation of the public.

The Missouri River Railroad, from Wyandotte to Leavenworth, has also been completed as a first-class road, and is, in fact, an extension of the Missouri Pacific; thus making Leavenworth the western terminus of that great State and national thoroughfare. I am advised that a company has been organized for the construction of a road from Leavenworth to Atchison, to connect with the Central Branch of the Pacific road at the last named

place. If this road shall be built--as it probably will be the present year--it will not only result to the great advantage of the two principal cities on our eastern border, but by increasing the facilities for communications with the entire northern portion of the State, will aid materially in the development of the resources, and in the advancement of the prosperity of that rich region of country.

The Leavenworth, Lawrence & Galveston road, extending southward through Kansas, the Indian Territory and Texas, is now completed and in operation to Ottawa, a distance of thirty-two miles south from Lawrence, or sixty-five miles from Leavenworth. With large donations of land from the State and General Government, and a liberal subscription of bonds by the counties through which the road runs, it will doubtless be completed to the heavy forests and coal fields of the south within two years.

To insure a complete success to this road, it should be made a link in a direct line of railway communication from the lakes to the north to the Gulf of Mexico on the south. This great enterprise necessarily comprehends the bridging of the Missouri river at Leavenworth, thus indissolubly connecting Chicago and the markets of the East with the rich fields of Southern Kansas, and the vast undeveloped resources of the Indian Territory and Texas. The beneficial results which would follow the consummation of this grand enterprise are more than commensurate with its magnitude, and can scarcely be exaggerated by the most sanguine mind. I trust, therefore, that the project of constructing a bridge across the Missouri river at Leavenworth, will receive at your hands such favorable consideration as its importance demands and such lawful encouragement as the interests of the whole State may seem to require.

The Kansas and Neosho Valley road, running south through Olathe, Paola, Mound City and Fort Scott, is also under contract, and the road rapidly progressing. This road is liberally endowed with land and other subsidies sufficient to insure its early completion, and should be pushed forward with all possible speed, so as to open up and develop the immense coal and lease mines, marble quarries, and other hidden treasures in Southeastern Kansas.

The Union Pacific Railway, Southern Branch, is also in process of construction from Junction City south to the Neosho Valley, and thence along the same, in a southeasterly direction, intersecting the Memphis and Little Rock road at or near Fort Smith, Arkansas. The work upon this road was commenced during the past summer, with every assurance that the same would be prosecuted to completion. Donations of land have been made by the State and General Government to aid this important enterprise. Should this road unite with the Kansas and Neosho Valley, and the Leavenworth, Lawrence & Galveston roads in the Southern part of the State, thereby forming one grand trunk line from Kansas to the Gulf, it would prove of vast importance to the country.

The St. Joseph and Denver City Railroad has for some time been partially graded from Elwood to Troy, in Doniphan county. A contract has recently been let for completing and equipping that section; a sufficient force has been placed upon the line, and at the date of my last advices, it was expected, should the weather continue favorable, that trains would be running as far as Troy within forty days. The road is endowed with bonds of the city of St. Joseph, with bonds of several counties in Northern Kansas, and with a grant of one hundred and twenty-five thousand acres of land from this State. An effort is being made to enlist the capitalists who control the great line of railway communication eastward, in the enterprise of pushing the construction of this connecting line through the northern counties of our State. Should this effort prove successful, the work will doubtless be vigorously prosecuted during the present year.

The Atchison, Topeka and Santa Fe Railroad has been surveyed and placed under contract, with reasonable assurances that the work will be immediately commenced and prosecuted until the road is completed into the interior of Southwestern Kansas. The opening up of the coal fields along the projected line of this road is a matter of great importance to the entire State, as also to other railway companies.

The Sedalia, Fort Scott and Santa Fe Railroad, from Sedalia, Missouri, to Fort Scott, Kansas, and west through Bourbon, Allen, Woodson, Greenwood and Butler counties, to the Arkansas river, and thence in a southerly direction, via Salt Plains and the Cimarrone and Canadian valleys, to Santa Fe, New Mexico, is one of the most important lines of projected railway communication passing through the State. The road has been surveyed as far west as the Arkansas River, and is under contract for that portion of the line from Sedalia to Fort Scott. The line of this road, as surveyed, runs through the southern-central portion of the State from east to west, varying from fifty to sixty miles from the southern boundary, and will, when completed, be almost an air line through the richest part of the State, from Fort Scott to the western boundary, and thence to Santa Fe.

The Lawrence and Pleasant Hill road, the Lawrence, Oskaloosa and Atchinson road, and a road from Ellsworth south to the Arkansas valley, and thence west to New Mexico, have also been surveyed, with flattering prospects of their future construction.

This embraces the various railroads constructed and in process of construction within the State. Their early completion is of the greatest importance to us all. Their advance will be followed by immigration, wealth, enterprise, and the rapid development of the agricultural, mineral and commercial resources of the entire State.

I herewith transmit such papers of a public character as have come into my possession, and leave the subject, with the hope that you will exhibit a liberal spirit in shaping legislation, and that interests so vital to our permanent prosperity may not be permitted to suffer at your hands.

#### IMMIGRATION.

The subject of immigration demands your attention. Kansas cannot afford to remain idle, while other States and Territories are using every honorable means in their power to encourage immigrants to settle within their borders. I have called the attention of the three preceding Legislatures to the important of the subject, but without securing any efficient action on their part. During the month of February last, under the authority of the act of 1864, I appointed Hon. George A. Crawford and Judge L. D. Bailey, Commissioners of Immigration, who, together with the Governor, constitute a Bureau of Immigration for the State.

The Commissioners immediately met, organized and entered upon the discharge of their duties, but under many embarrassments. The Legislature having made no appropriation for such purposes, the Bureau was compelled to confine its operations within a limited circle, as compared with what should have been done. Nevertheless, all has been done that could have been effected under the circumstances. During the year about thirty thousand circulars and pamphlets of various kinds pertaining to the resources of the State, have been published and scattered broadcast over the country.

The immigration to the State, since January, 1867, has comprised not less than fifty thousand persons, and, with a reasonable appropriation, might have been increased to one hundred thousand. No State in the Union offers greater inducements to the immigrant than Kansas. With eighty thousand square miles of fertile soil, well adapted to the production of all kinds of grain, fruit, &c.; with a mild, genial climate, as desirable as one could wish; with an abundance of the best quality of timber, water, stone, marble, coal, gypsum, salt, and almost every other natural advantage, there is no reason why Kansas, with proper effort, should not receive a large proportion of the vast emigration westward. With a liberal appropriation for the purpose, judiciously expended, our population can be increased one hundred thousand annually. To this end I recommend an appropriation.

#### PARIS EXPOSITION.

As empowered by the law of 1867, I appointed Isaac Young, Esq., of Leavenworth, commissioner to collect and forward specimens of Kansas products to the Paris Exposition, to be placed on exhibition there. The commissioner performed his duty most creditably, as his report, herewith submitted, will show. For the best specimens of grain and other products he received, for the State, a fine bronzed medal from the Imperial Commissioners. The State also received honorable mention in the catalogue, which was published in the various languages and extensively circulated among the visitors present, representing all the great nations of the earth.

#### CHEROKEE NEUTRAL LANDS.

Your attention is invited to the condition of the settlers upon the Cherokee Neutral Lands. It seems that the entire reservation, which contains about eight hundred thousand acres, has recently been sold by the Secretary of the Interior to Mr. James F. Joy, of the Michigan Central Railroad. The following is a copy of the treaty by which the Cherokee Nation ceded these lands to the United States, and which contains the so-called

#### “ARTICLE XVII.

The Cherokee Nation hereby cedes, in trust to the United States, the tract of land in the State of Kansas which was sold to the Cherokees by the United States, under the provisions of the second article of the treaty of 1835; and also that strip of the land ceded to the Nation by the fourth article of said treaty, which is included in the State of Kansas; and the Cherokees consent that said lands may be included in the limits and jurisdiction of the said State. The lands herein ceded

shall be surveyed as the public lands of the United States are surveyed, under the direction of the Commissioner of the General Land Office, and shall be appraised by two disinterested persons, one to be designated by the Cherokee National Council and one by the Secretary of the Interior, and, in case of disagreement, by a third person, to be mutually selected by the aforesaid appraisers. The appraisement to be not less than an average of one dollar and a quarter per acre, exclusive of improvements. And the Secretary of the Interior shall, from time to time, as such surveys and appraisements are approved by him, after due advertisements for sealed bids, sell such lands to the highest bidders, for cash, in parcels not exceeding one hundred and sixty acres, and at not less than the appraised value: Provided, That whenever there are improvements of the value of fifty dollars made on the lands, not being mineral, and owned and personally occupied by any person for agricultural purposes at the date of the signing here of, such person so owning, and in person residing on such improvements, shall, after due proof, made under such regulations as the Secretary of the Interior may prescribe, be entitled to buy, at the appraised value, the smallest quantity of land in legal sub-divisions which will include his improvements, not exceeding in the aggregate one hundred and sixty acres, the expenses of survey and appraisement to be paid by the Secretary out of the proceeds of sale of said land: Provided, That nothing in this article shall prevent the Secretary of the Interior from selling the whole of said Neutral Lands in a body to any responsible party, for cash, for a sum not less than eight hundred thousand dollars."

This treaty, though infamous in its provisions, evidently contemplated that the actual settlers should be permitted to buy the smallest legal subdivisions of their homesteads, at an appraised valuation, under such regulations as the Secretary of the Interior might prescribe; but the recent sale of the lands to Mr. Joy, if valid, debars the settlers of even that privilege, and leaves them at the mercy of a company which has evidently purchased the lands for the purpose of speculation. Mr. Joy says, in substance, that his object in buying the lands was either to make them available in the construction of a railroad from Kansas City to the Indian country, or to form a company for the purpose of promoting immigration to them. Which he intends to do, I have no means of knowing, but in either event the transaction is unjust. The homesteads of a few poor settlers should not be taken to aid in the construction of any road, nor should they be given to a land monopoly.

I would therefore recommend that the Legislature, at an early day, memorialize Congress to annul the contract between the Secretary of the Interior and James F. Joy, and to so amend the treaty as to allow each settler now upon the reservation to purchase his land from the Government, at the land office at Humboldt, under the same rules and regulations, and for the same prices, as govern the sale of other Government lands. This would be right and just, as between the Government and these people. If Congress shall declare the contract void, but refuse to amend the treaty, I recommend, in that case, that you provide for buying the lands from the Government, so as to secure to the settlers their homes at reasonable rates; and if Congress fails to do either, I would then recommend that you take measures for testing the validity of the contract between the Secretary of the Interior and Mr. Joy.

#### OSAGE LANDS.

On the 29th day of September, 1865, the Osage Indians, by treaty, ceded to the United States a large tract of land from their reservation in Kansas. By the provisions of this treaty these lands were to be surveyed and sold, under the direction of the Secretary of the Interior, on the most advantageous terms, for cash, as public lands are surveyed and sold under existing laws. As yet no provision has been made for placing these lands in market, so as to enable settlers to acquire titles to their homesteads. I recommend that you memorialize Congress on this subject. The rights of the settlers on these lands, as well as of those upon the Cherokee Neutral Lands, should be sacredly guarded.

In this connection I advert to the importance of the removal of all Indian tribes from Kansas. There is scarcely a subject pertaining to the material prosperity and advancement of Kansas upon which our people so cordially and so unanimously agree. The annoyance and losses occasioned by the depredations of tribes on the frontier, nominally friendly--their almost useless occupancy of vast bodies of the most valuable lands in the State, thus preventing their settlement, and contracting the area of taxable property--these are constant sources of inconvenience and disquiet, which should not longer be permitted to continue. I trust therefore, that you will withhold no effort or influence that may be necessary to induce Congress to act in this matter promptly.

#### CODIFYING COMMISSION.

Before the adjournment of the last Legislature, and by its authority, Hon. S. A. Riggs, of Douglas, Hon. J. M. Price, of Atchison, and Hon. James McCahon, of Leavenworth, were appointed a commission to codify the laws of the State, and to report to your body. They have accomplished that work, and their report will be laid before you. In

accordance with the recommendation of the commission, I approved a proposal of the Bulletin Printing Company, of Leavenworth, for publishing the report. It was necessary that it should be published, being too voluminous to be properly considered in manuscript, and, if delayed until the assembling of the Legislature, could scarcely have been printed in time to secure action upon it at this session. I cannot state definitely the amount which the printing will cost, as that will depend upon the number of pages which the published report will contain; but the proposal approved by the commission and myself was a reasonable one, and I trust the necessary amount will be promptly appropriated.

## THE STATE OF THE COUNTRY.

Never was there a time, in the history of this country, when the united exertions of all true patriots were more imperatively required than at present.

Three years have not yet elapsed since the armed enemies of the Government surrendered to the Federal authorities, with professions of returning loyalty and renewed vows of allegiance, asking only that their forfeited lives be spared, and that they be permitted to live unmolested within the jurisdiction and under the protection of that government which they had vainly sought to overthrow.

Having been engaged in an unjust and wicked war, and having in that war violated every principle of justice, humanity and good faith, they seemed to realize to the fullest extent the nature of the terrible crimes which they had committed. That they had, by their treason, forfeited all political rights, no loyal man questioned. That they were guilty of the highest crime of which men are capable, and deserved the most exemplary punishment known to law or government, could not be denied. That they had persistently violated the laws of civilized warfare was patent to all.

Nevertheless, we now find these same criminals, supported by the President and all the authority of his great office, arrogantly demanding admission into the national councils, in order that they may accomplish in Congress and the Cabinet what they failed to achieve in the field. Pardons have been issued by machinery, and scattered broadcast throughout the South.

Military prisons have been thrown open and the worst of criminals turned loose upon society. Prominent rebels and traitors have been appointed by the President to high and responsible positions, while in many of the Southern States the loyal people are being crushed out, and soldiers who stood by the Union in the late war are being compelled to abandon the country or publicly deny that they ever wore the Federal uniform.

Upon the suppression of the rebellion, the loyal people of the nation, notwithstanding their fearful sacrifice of blood and treasure, and the untold miseries brought upon the country by the war, stood ready, in the generosity of their hearts, to receive the beaten enemy in a manner honorable to a magnanimous and victorious nation, and in nowise discreditable to a defeated foe. The demand for indiscriminate punishment was uttered by but few and uninfluential voices. The just reconstruction and assured perpetuity of our institutions were the paramount objects of solicitude. The trial and execution of the arch-traitor, Davis, and such of his confederates as had joined with their treason other revolting crimes, were demanded by justice and the national honor, and would have proved stern but salutary examples to the posterity of rebels.

This humane, generous and just policy, however, met with the sturdy opposition of the Executive. The rebels of the South were speedily given to understand that they had forfeited none of their political rights, but, on the contrary, were worthy and qualified to fill any positions under the Constitution of the United States, or any one of the several States.

To such a policy, pursued with persistency and in detail, is due the responsibility of the present condition of affairs in the South, and the necessity of keeping a large portion of our army on duty in those States. Our flag, unsupported by the military arm of the Government, should carry with it protection to every person within the national jurisdiction, without regard to condition, sex, race or color.

The four million of colored people from whom the chains of slavery have recently been stricken, should be guaranteed all the civil and political rights which pertain to other citizens of the country, and should be protected and maintained in the enjoyment of the same. It is the duty of Congress to relieve the embarrassments into which long years of servitude, oppression and enforced ignorance have plunged them. The advancement of their moral, educational and industrial interests, requires that they should have an equal voice with other citizens in that civil society to whose laws they are individually and collectively subject. Sharing the rights and responsibilities of government--of schools and homesteads, intellectual and moral training--they will soon be able to supply the ever increasing demand for intelligent labor, and to protect themselves against the avarice and malevolence of those to whom they are indebted for all the miseries of the past.

Although you may not be able, in your legislation, to contribute anything towards this desirable consummation, you can and should, by your influence and encouragement, sustain each department of the General Government in every worthy act and honorable effort calculated to promote the public good.

### CONCLUSION.

Before concluding, gentlemen, let me urge upon you the necessity of rigid economy in every branch of expenditure. Upon you depends the financial future of the State. No money can be expended unless previously appropriated by the Legislature. While we all recognize the necessity of establishing and sustaining the various State institutions, as well as the Government, yet a judicious appropriation should be made for such purposes so as not to embarrass the public credit, or draw too heavily upon the pockets of people. It is sincerely to be hoped that such of our State institutions as have been generously endowed from the public domain will soon be able to dispense with the aid drawn from the treasury.

The present rate of taxation, for general purposes, is four mills on the dollar, which is less than that levied in many of the older States; but the taxation for county and other local purposes seems to me to be unreasonably high in most of the counties. Whether this can be remedied is a matter for your consideration.

Thus, in accordance with constitutional requirement, I have communicated such information, and made such recommendations as seem to be expedient.

This being probably the last time that I shall ever address the Legislature, as Governor of the State, I embrace the opportunity to return, through you, to the people whom I have been trying to serve, the gratitude of my heart for the kindness and consideration shown me while endeavoring to discharge the responsible duties entrusted to my care.

The State whose interests we are called upon to guard, has a history whose past is heroic, and whose future is hopeful. Let us, upon whom the people have devolved weighty responsibilities, mutually rely upon the Great Ruler for wisdom and guidance, and press forward in the path of duty, studiously laboring for that conscientious self-approval which is inseparable from the Divine approbation.

S. J. CRAWFORD.

(SAMUEL JOHNSON CRAWFORD)

TOPEKA, JANUARY 14TH, 1868.