

# Edward Wallis Hoch

## GOVERNOR E. W. HOCH'S MESSAGE TO THE KANSAS LEGISLATURE, JANUARY 8, 1907.

To the Senate and House of Representatives:

In obedience to constitutional requirement and in harmony with custom, I transmit herewith my biennial message for your consideration.

You meet under auspicious and inspiring circumstances. The state is enjoying unprecedented prosperity. The year just closed was the most prosperous in its history, and this prosperity was limited to no locality and confined to no interest. The yield of wheat aggregated over ninety-three million bushels, and has been exceeded but once in bushels and never in aggregate value in the history of the state, and easily places Kansas in the front rank of wheat-producing states, the yield in fact being double that of any state in the Union. In this connection it is interesting to remember that the yield of wheat for the past ten years has averaged over seventy million bushels each year. The year 1906 was also a great corn year, the yield being exceeded but twice, I believe, in the past. All other farm products made a good showing, as did the great live-stock interests, so that the year was one of unprecedented prosperity to the farmers of the state. Hon. F. D. Coburn, secretary of the State Board of Agriculture, who honored agriculture by exalting its secretaryship above highest political honors in declining a United States senatorship, thus summarizes the year's results:

"Never before have the soil products represented so much wealth, and the rewards of industry are revealed in the year's values of farm products and live stock, amounting to \$424,222,277, or \$15,582,455 in excess of their value in the best preceding year. They are about eighty-five per cent. more than the value of the same items of ten years ago. This year's wheat is worth more than that of any preceding year; this year's corn ranks third in aggregate value; the value of animals slaughtered or sold for slaughter is ten million dollars more than last year, and eclipses all former records; the value of her dairy products is more than one year ago, and her improving herds and flocks have a value greater than ever before."

But perhaps the best evidence, after all, of the great material prosperity which blesses the state is furnished by the condition of the banking interests. Hon. John Q. Royce, bank commissioner, in his able biennial report to me, furnishes the remarkable and gratifying information that there has not been a single bank failure or a bank closed by his department during the past two years, and that during the time not "a dollar has been lost to depositors in state banks, nor have any of their funds been tied up or withheld from them for a single minute."

From the same admirable report I learn that the total deposits in Kansas banks, state and national, ten years ago aggregated only \$32,031,780.36, of which the national banks contained \$16,811,672.97 and the state banks \$15,220,107.39. For eight years thereafter the deposits increased at the enormous rate of an average of ten millions of dollars per year, and on September 1, 1904, reached the highest point in the history of banking in the state up to that time, showing total deposits amounting to \$110,325,895.90, of which the national banks had \$58,318,970.48 and the state banks \$52,206,925.42. But during the past two years the increase

has been greater than during any biennial period in the history of the state. During this biennial period the increase exceeded thirty millions of dollars, or more than fifteen millions of dollars each year, the total deposits at this time being \$140,195,293.62, of which the national banks show \$71,962,877.02 and the state banks \$68,232,416.60. This is an average of over ninety dollars per capita—nearly three times the average in the United States. Mr. Royce estimates that of the 140 million dollars on deposit in the banks of Kansas 130 million dollars is the money of individuals, and represents their surplus earnings. The population of the state has increased over 66,000 during the past year, the greatest annual increase in twenty years. Surely every Kansan has a right to be proud of the wonderful progress and prosperity which characterize the state of his birth or adoption.

But gentlemen, there is a good old book which tells us that "much shall be required of those to whom much is given." Responsibility is measured by ability, and it should be the highest aim and ambition of every citizen of the state, in public position and in private station, to see to it that progress in moral and mental matters keeps pace at least with the progress in material things. For, after all, the real greatness of a state is not measured by its bursting bins or plethoric banks, but by the beneficence of its laws, obedience thereto, enforcement thereof, and by character of its individual citizen ship.

To you, gentlemen of the legislature, has been committed a great trust—to study the governmental needs of the people, to supplement former legislation with additional enactments necessary for its enforcement and efficiency, and to put upon the statute-books such new laws as new conditions and experience may show to be necessary. In this great work, at the threshold of your labors, the executive department tenders you cordial cooperation and submits for your earnest consideration numerous recommendations.

## **PRIMARY ELECTIONS.**

I wish to renew the recommendation made at length in my message two years ago for the passage of a primary-election law. In a republic like ours, where sovereignty resides with the individual citizen and where government is the aggregate will and wisdom of the country's citizenship, political parties are absolutely necessary. They crystallize in their platforms and policies the opinions and desires of their adherents. In the nature of things it is necessary, also, that these principles and desires shall have an initiative expression before the final expression in a general election in which other people with other opinions and desires have equal and concurrent voice. This initiative, this primary expression of opinion and desire, is the beginning of government, and it seems so fundamentally true that all the people of a common opinion and desire should have as free and full opportunity to express themselves at this fountainhead of government as they do at the later and less important final voting-place, that argument on the subject should be a needless task. These views expressed in my last message are renewed in this one. I am not unmindful of the difficulties in the way of a practical application of these fundamental theories, but I trust this legislature will be able to solve the problem, and give the people of all the parties an opportunity to select at a primary election the candidates for whom they will be asked to vote at a general election. They should also be permitted to express their preference for United States senator, an expression which a legislature would hardly ignore. Let all the primaries be held the same day, and the ballot-box guarded with all the sacred safeguards now thrown around the general election. I wish also to renew my suggestion, which I think entirely reasonable, that no one except a new voter be permitted to vote at a party primary unless

he had voted that party ticket at the last general election. This will prevent one of the most serious objections to our present caucus system—the participation of members of other parties in the selection of weak candidates for the opposition ticket, in order to increase the possibilities of the success of their own.

## **RAILROADS.**

I recommend the enactment of a law forbidding gratuitous transportation, except to actual railroad employees. Congress has enacted such a law covering interstate transportation, and Kansas should follow the example with reference to free passes within state borders.

I recommend the appointment of a committee early in the session to hear arguments for and against a proposition to reduce railroad fare in this state. Let both sides have a full and fair hearing, that the interests of the traveling public may be subserved without arbitrarily doing that which may be unjust to the transportation companies. A reduction of railroad fare is sure to come. It is only a question whether or not that time has arrived. I have given the subject much thought and study, and believe that, with the abolition of free passes and the stimulus to travel which a reduction of fares would create, the companies would not be serious losers by the reduction, while the public, of course, would immensely benefited.

The Board of Railroad Commissioners should have a larger contingent fund than that appropriated to their use by the last legislature. The legislature of Texas gives its commissioners a contingent fund of \$43,000 per annum, the legislature of Minnesota gives its commissioners \$40,000, while we give ours only \$5,000. In both these states, however, the commissioners have, by direction of the law, made investigation as to the value and costs of the railroad properties of their respective states, employing civil engineers to make the estimates.

Each of these states also has a rate expert especially qualified to make a thorough investigation of the freight rates. If railroad rates in this state are to be made equitable, an expert equal in ability to those employed by the railroads themselves in fixing the schedules in the first place must be employed by the state.

The absolute necessity, also, of an authoritative estimate of the value of railroad property in Kansas, in order that the decided by the commissioners, is apparent to every student of the subject. Constant complaint is made that freight rates are excessively high in Kansas, altogether out of proportion to the rates charged in other states. No fair Kansan desires to do injustice to the railroad companies; neither can the railroad companies justly complain of an attempt on the part of the people to compel the companies to be absolutely fair with them.

I want to call your attention also to another matter of vital importance. The legislature can only regulate railroad rates within the state. It has no control whatever over interstate rates. But, having their freight depots in Kansas City Mo., the railroad companies are enabled to evade most of our statutes by claiming that much, if not most, of the traffic is interstate because its terminals are across the line, and the freight is billed from all shipping-points in Kansas to Kansas City, Mo., and from Kansas City, Mo., to all points in Kansas. The importance of this further illustrated by the fact that the Missouri river is basing line for the making of freight rates, and as all of such rates purport to be from Kansas City, Mo., the interstate feature is therefore injected into most of the Kansas rates to and from Kansas City, Mo. Kansas City, Kan., though the largest city in the state, and the natural terminal of the state's business, is practically ignored in tariff schedules. This should not be. If our laws are to be of value, we must insist that the railroads provide places for the reception of freight and passenger traffic on the Kansas side of the line.

Otherwise our state laws on these subjects will be in large part annulled.

I wish to renew my recommendation of two years ago in reference to placing the telegraph and telephone companies and all transportation lines operated by electricity under the control of the Board of Railroad Commissioners.

## **TAXATION.**

Like Banquo's ghost, the subject of taxation will not down. Like the poor in scripture, we seem to have it with us always. Every legislature from time immemorial has grappled with the perplexing problem, and still no satisfactory solution graces our statute-books. Our levies seem high because our assessments are ridiculously low. As a matter of fact, Kansas affairs, state and municipal, are managed with remarkable economy. Official salaries are comparatively small. Few states pay so little to their officials. Appropriations for the support of the state penal, eleemosynary and educational institutions are relatively less than in most any state in the Union, and yet our taxes seem high, because, as stated above, assessments are ridiculously low, and for the further reason that a vast amount of property escapes taxation altogether. This is particularly true of money, for, while the Bank Commissioner reports 140 million dollars on deposit in the banks of the state, less than five million dollars appear on the taxrolls. The assessment of railroad and other personal property is almost if not quite as great a farce. The law compels the assessment of property at its actual value, but nobody contends that this law is complied with, and there is no penalty for its violation. I think most of this whole taxation problem could be solved by adding to present laws severe penalties for their violation, including severer penalties for perjury in listing property for taxation, and I recommend that this be done. That the owners of 140 million dollars should swear that they had but five million dollars, and escape taxation and punishment alike, is simply monstrous. If all the property of the state were assessed at its full value, and extravagance avoided by proportionately reducing possible levies, the statistics of the state would make a vastly better showing abroad, and the burden of government at home would not be at all increased. This problem confronts you, as it has confronted other similar bodies. The legislature that wisely solves it will make itself immortal.

## **PROHIBITION.**

Since 1880 the manufacture and sale of intoxicants except for medicinal, scientific and mechanical purposes has been prohibited by the constitution of this state. Theoretically, the wisdom of this policy has never been seriously questioned, for the logical attitude of government toward every recognized evil is that of prohibition. The decalogue, which in its majestic sweep includes every form of evil, is a prohibitory code and an infallible guide. "Thou shalt not" is the proper attitude of government toward every recognized evil. That the saloon is an evil is now almost universally recognized. Not a single good thing can be said of the saloon. It is everywhere and always an enemy to society and to good government; it is a disturber of the peace; it is the devil's best recruiting camp; it imposes more burdens of taxation upon the people than any other agency in existence; no human interest is sacred to it; it voluntarily obeys no law; it desecrates the Sabbath, and refuses to close its doors on this holy day except when a policeman with righteous orders from some courageous mayor is on that beat; the Fourth of July appeals not to its patriotism, for it has none; it debauches childhood, in defiance of the law against selling to minors; it makes day lurid with its profanities and night hideous with its orgies; it is everywhere

and always an anarchist. Every license law, high or low, every law to which reference has been made above, is proof of popular estimate of its baneful character, for no such laws restrict and restrain legitimate business. Our prohibitory policy is not, I repeat, questioned as a matter of principle. Its wisdom is only questioned as a matter of expediency. This is the battle-ground of thought on the subject. But I must ever believe that, in the final analysis, wrong, alone, is inexpedient, and that ultimately some means can always be found to make any right thing practicable. Relatively (and every thing is relative in this world) the prohibitory policy has been a great success in this state. It has been a great benefit educationally, morally and financially to the people. Viewing it from the highest altitude, I can heartily revoice the followings sentiments of one of my ablest predecessors, Gov. John A. Martin, who in a public address said:

"I have never made any secret of the fact that I voted against the prohibitory amendment, and I cannot therefore be suspected of a desire to vindicate my own original judgment when I declare, as I do, that in my opinion this state is to-day the most temperate, orderly, sober community of people in the civilized world. I realize fully the force of this statement and am prepared to sustain it here or anywhere."

Viewing it from a lower plane, from its economic side, I believe it is equally worthy of indorsement. I do not believe there are any people on earth relatively more progressive and prosperous than the sixteen hundred thousand people who constitute the population of Kansas. Our per capita wealth is over ninety dollars—nearly three times the average in the United States—and nowhere is wealth more equally distributed. A poorhouse is almost a joke in Kansas. Saloons are not commercial necessities. All the money that goes into their tills is just so much taken out of legitimate business channels; it is just so much loss to the legitimate merchant. The revenue from this source is not necessary to the permanent prosperity of any town; it is a hindrance to it; it debauches public sentiment, debases public morals, and corrupts official channels; it destroys town pride, one of the first and greatest essentials to town building; it makes the saloon the center of political influence and the most potent factor in municipal government. The devil never invented a bigger lie than that revenue from illegitimate success is necessary to the financial success of any town or city. Such a contention is an insult to any community in Kansas. Wherever this theory finds indorsement by local authorities, boodle and graft and extravagance follow naturally and inevitably. Many local illustrations of the fallacy that revenue from this traffic is necessary could be given, but I will cite only a few. Mayor David H. Shields, of Salina, says:

"When I took office one year ago this spring (1906) business men of Salina said that business would be ruined and the city bankrupted, but, according to the city treasurer's report for March, 1905, there was in the general fund of the city at that time \$3416.90. The same report for this March (1906) shows \$7769.49, an increase of over \$4000, and this in spite of the fact that the city took in over \$10,000 from the joints the year before and less than \$1000 this year through legitimate fines. The merchants claim that this has been the best year in the history of Salina. More goods have been sold and more business done than in any twelve months of the city's experience."

A great many of the leading business men of Kansas City, Kan., cherished the same delusion cherished by the business men of Salina, but the 200 joints in that city have been effectually

closed, and yet it is almost the universal testimony that the city was never so prosperous. Kansas City, Kan., is the largest city in the state, and I believe it is the largest city in the world without an open saloon. There has been a wonderful revolution of sentiment among the business men, who are prospering as never before, and who attested their faith in this new and wise policy by electing a law and order mayor at the recent city election. The people of Kansas City, Kan., have a splendid opportunity to make their city the most-noted city in the world by steadfastly adhering to the wise policy under which they are now making such gratifying growth in every realm of civic importance, and other cities would do well to catch this infection, for it is in the air. In this great accomplishment too much credit cannot be given to Attorney-general C. C. Coleman, to the assistant attorney-general, Mr. C. W. Trickett, and to the presiding judge, Hon. W. G. Holt. In a recent address Mr. Trickett said:

"When I first moved upon the dens of vice two leading bankers, in company with three prominent merchants, called upon me to protest against closing the saloons, saying it would ruin business. Not long since these men returned to my office to apologize for their former request, and stated that it had not only not injured business, but had helped every line. The bankers informed me that in three months, under closed saloons, deposits had increased \$500,000. The merchants said their business had increased, that collections were better, and that women were trading with them, presenting their husbands' pay-checks, stating that they had never seen a pay-check until the saloons were closed. Ex-Mayor W. A. Coy, proprietor of the largest store in the sixth ward, which was the storm center of the fight, stated to me recently that to his personal knowledge a score of families now live in comfort that lived in squalid poverty before the closing movement. The same statement has been made to me by more than fifty merchants in that city. I consider it a safe proposition to invite any one who feels in doubt to write to ANY merchant in Kansas City as to the effect.

Last May our city officials were figuring how they could spare the money to enlarge the city jails, but to-day we have no use for those we have. The doors swing idly upon their hinges, with no inmates, the guards at the rock pile have been discharged, and drunks and disorderlies have largely disappeared."

The prohibitory law has never had a fair chance in Kansas. It has battled against a foe entrenched in the appetites of an extensive constituency, fortified by legal sanction through many centuries of the world's history, and made powerful by the enormous wealth of enormous profits. Every state surrounding us has been opposed to our policy and has contributed in every possible way to its failure. It has been like a farmer striving to keep his farm clean of noxious weeds, while his neighbor farmers permitted their farms to become foul and sow his farm thick with seeds with every wafting wind that blew his way from their premises. Our success under these adverse conditions has indeed been remarkable. The absurd contention that more liquor is sold in prohibition Kansas than in license states should deceive no one. It is made chiefly by those who would be entirely content with the prohibition policy if their statements were true, but official figures abundantly refute the ridiculous statement. Uncle Sam is a pretty good bookkeeper and a pretty good collector. Compare prohibition Kansas with our neighbor, license Nebraska, for instance. Nebraska has about one-third less population than has Kansas, but Uncle Sam has collected about \$2,000,000 a year liquor tax from the people of Nebraska, while he has been able to get only about \$100,000 from Kansas. The amount of fermented liquor sold in Kansas is from 6000 to 10,000 barrels a year, in Nebraska from 200,000 to 300,000 barrels, and in Missouri

from 2,000,000 to 3,000,000 barrels.

When I came into office, two years ago, I found this law largely ignored, if not flagrantly violated, in every city of the first class in the state, and in many of the smaller cities and towns. A most difficult duty confronted me. A definite policy was at once formulated, and, acting in harmony with the attorney-general, this policy has been steadfastly pursued. The enforcement of this, as of other laws, rests primarily, under our statutes, upon the local authorities. I agree again with Governor Martin, who, in the same speech from which I have already quoted, said:

"Whenever or wherever the laws are not honestly enforced the local judiciary officers—that is, the county attorney and sheriff—are the responsible parties. It is practically impossible for any one to sell intoxicating liquor as a beverage in any town or city in Kansas if the county attorney and sheriff of the county do their duty. These officers, cooperating together, can make the illegal sale of liquor impossible."

To this official combination, however, I would add the district judge, who, if unfriendly, can greatly impede, if not entirely prevent, the enforcement of the law. Recognizing these fundamental facts, as well as the limitation of power conferred by the legislature upon the governor for the enforcement of this and other laws, I have written to every county attorney and sheriff in the state, and to many of them repeatedly, urging the enforcement of the law. Ouster proceedings were instituted against the mayor of Kansas City, Kan., the largest city in the state, and against the county attorney of Wyandotte county, in which this city is located, which were successful, owing largely, let it be remembered, however, to the peculiar ability of Attorney-general Coleman and his able local assistant, Mr. Trickett, and to the character of the presiding judge, Judge Holt. Similar suits have been begun in other cities. Assistant attorneys-general have been appointed in ten other counties, with varying results. But I believe it can be said without extravagance that there are more towns and counties in this state to-day that are saloonless and jointless than ever before since the law was enacted. Results have been remarkable. In four-fifths of the 105 counties the prohibitory law is as well enforced as other penal statutes. The constitution imposes upon the governor the duty of enforcing law, but legislatures alone give effect to constitutional requirements and furnish the executive with power for their enforcement. The governor can only enforce law with law. The various laws enacted by Kansas legislatures during the past quarter of a century to make effective this constitution amendment have been stubbornly contested in the courts in every possible way by the liquor interests. Some of these laws have stood the test, but some of the most important ones have been annulled by the courts. "Government," said Henry Clay, "is a trust, and the officers of the government are trustees." "Law," said Holland, "is the very bulwark of our liberties." "Let the sanctity of laws," said Lincoln, "be taught to our children in the public schools, preached from our pulpits, proclaimed in the press, and enshrined in the hearts of all the people." If laws are unwise they should be amended or repealed, but while they are laws they should be obeyed and enforced, and "the best way to prove that a law is bad is to enforce it," said President Grant. When any question of governmental concern is up for original discussion it is the privilege of every citizen to have and to express, freely and without restraint, his opinion upon the subject, but when the matter has been crystallized into law it passes out of the domain of discussion, except for amendment or repeal. There is then but one duty of the officer, and that is to enforce the law, and but one duty of the citizen, and that is to obey it. The specious plea that any law is under the ban of an adverse public sentiment as an excuse for official dereliction is unworthy of consideration. The officer

did not make the law and is not responsible for its making. He has nothing to do with public sentiment. He did not swear to obey public sentiment. He swore to enforce the law.

"Let me say to you," said Judge J. T. Dickerson, of the federal court in the Indian Territory, in a public address last year, "that I believe one of the worst evils of our government at this time is the lack of appreciation of the solemnity of an official oath that many people in official positions have. How can an officer of the law go in and out of saloons, joints, drug-stores where intoxicating liquors are being sold, winking one eye, and whispering low in the presence of the violators of the law it is his solemn sworn duty to uphold? How can such perfidy be permitted in a civilized country?"

Kansas must take no backward step in this matter. "It is the province of Kansas to lead and not to follow," said Mr. Trickett, in the speech from which I have already quoted. "We have blazed the path of great reforms in the past, and this generation will not fall below that of its ancestors." Upon you, gentlemen of the legislature, devolves the duty of conferring greater power upon those clothed with responsibility of government, to the end that the good name of the state may not be marred by the persistent violation of the prohibitory law, and that the wise, economical and moral policies and more effective. I have some well-matured thoughts as to what you should do in this matter, but will not make specific recommendations at this time. Bills covering the subject will be submitted for your approval having the indorsement of the administration, and I doubt not will receive your careful consideration.

## **BOARD OF CONTROL.**

The subject to which I devoted more attention than to any other in my first biennial message, two years ago, was a change in the method of managing our state eleemosynary institutions. In discussing this change I said:

"Let me call your attention to what seems to be a gigantic defect in the business management of these institutions. There are nine of them—three insane asylums, two reformatory schools, one soldiers' orphans' home, and three asylums, respectively, for the blind, the deaf, and the still more unfortunate, the imbeciles. The managers of these institutions disburse nearly one-half of all the ordinary appropriations made by the legislature, aggregating, I believe, about one million dollars. The board has no office and no common place of keeping records. Its members are not required by law to give all their time to the state, but are permitted to divide their time between their official and private duties. Is the business of any other corporation done in this way? Do you know of any firm or corporation that would hire men to transact a million dollars' worth of business with no central office of easy access, and with this division of time between private and firm, or corporate, affairs? Is business of this magnitude transacted in this way anywhere else on earth? . . . I insist that the state should have a great business office in the statehouse, in which a complete record of all the business transactions with all the institutions of this state should be kept. I believe that three men devoting all their time to the business interests of the state, with a few assistants, could manage the business affairs of all the institutions in Kansas far better than they are now managed, and save to the people a vast sum of money."

The legislature responded nobly to this recommendation, incorporating every one of the above suggestions in the new law, and if that legislature had done nothing else than adopt this new Board of Control method of managing the nine charitable institutions of the state it would have done enough to win the everlasting gratitude of the people of Kansas. In the selection of Messrs. E. B. Schermerhorn, Sherman G. Elliott and H. C. Bowman as members of this board to inaugurate this great reform political "pulls" were entirely ignored, for which the governor has paid the usual political penalty, but from which the state has reaped an immense benefit. The institutions have been placed upon a strictly civil-service and business basis. Many reforms in the management have been inaugurated. The inmates have fared better than ever before; and yet, while the needs of these institutions have greatly increased, owing to the fact that the population of the state has increased 100,000 in the past two years, reports from each of these nine institutions show a most gratifying financial exhibit, the aggregate saving amounting to some seventy-odd thousand dollars. I commend to your most favorable consideration the recommendation of this board, and trust you will furnish them every facility they ask to continue even more successfully the great work they have been doing.

## **STATE PRINTING.**

The last legislature wisely changed the whole method of state printing. Previous to that a state printer was elected and did the printing for the state in his own plant and at specified rates. Under this system great abuses grew up. The trouble was not so much in the legal rates charged as in the vast amount of useless printing done for which the state was required to pay and which yielded the printer in the aggregate an enormous income. Commenting on this extravagance, I said in my message:

"I believe it would be good policy for the state to purchase a printing plant and put a manager over it upon a reasonable salary. I think the value of such a plant could be saved in a short time."

The legislature responded to the suggestion by providing for the election of a state printer by the people, to be given a salary of \$2500, and for the erection of a printing house to be owned by the state. It also elected T. A. McNeal state printer, and provided for the appointment of a commission by the governor to erect the proposed building and equip it with material. In harmony with this statute, I appointed Mr. C. S. Gleed, Mr. George E. Tucker and Mr. E. P. Harris as such commission. It now gives me great pleasure to report the completion of a three-story brick printing office, 50 by 130 feet in dimension, handsome in external appearance and modern in internal arrangement, equipped with modern material and in successful operation, at a total cost of about \$68,000, all of which will be paid for out of the saving of less than three years' operation.

## **JUVENILE COURT.**

No more humane and creditable law was ever enacted than the one passed two years ago known as the juvenile-court law. The local authorities charged with the duty of putting it in operation have been somewhat slow to understand and appreciate its beneficence, but, in spite of this fact, it has already demonstrated its wisdom and is working wonders in the reformation of young offenders. Applications for admission to the industrial schools for boys and girls have largely

diminished since this excellent law was put in operation. It is saving a great army of boys and girls from jail stains and criminal careers. The objections to this law, upon analysis, I think, will be found to originate in a lack of knowledge of its provisions and purposes, or in narrow selfishness. It reduces the fees of some officials and interferes with the business of others, but this purely personal and selfish consideration should have no weight against the law. You will be asked to consider some amendments to this law, suggested by experience, and I doubt not will respond cheerfully to the reasonable requests that will be made to strengthen this law and increase its power for good.

## **JUDICIAL PAROLES.**

In no realm of human thought has there been greater or more creditable advancement than in the realm of the sciences of criminology and penology. The world is growing better, and this great fact is nowhere better evidenced than in its attitude toward crime, its cause and cure. In the evolution of thought and practice on this subject there has been a complete revolution, in reference particularly to the purpose and effects of penalties. The idea of punishment has been entirely eliminated from the thought and purpose of modern penologists. Time was when it was the primary purpose of penalty. Under that system the state sought to get even with the criminal; to make his suffering equal to or greater than that of his victim. It was a system of revenge. No civilized government now has such purpose in penalty. Under our Christian civilization penalties are provided for two specific purposes, for the reformation of the criminal and for the protection of society, and if we had some infallible X-ray process by which we could examine the minds and hearts and souls of men, as we now examine their physical organs, and could know with certainty that these two specific purposes had been subserved without penalty in any given case, none would be inflicted. Prof. F. W. Blackmar, dean of the graduate school of the State University, an eminent authority on such subjects, in a recent private letter says:

"For a thousand years there has been developing a system of courts and judges and policemen and sheriffs and constables and jails and prisons, with the main object of catching the weak and the offending and placing them behind bars. The machinery has become very perfect. During the last fifteen or twenty years a new line has been established, with the purpose of keeping men out of jail and out of the Penitentiary and of making independent men and citizens of them, and to prevent children from entering the highways of crime."

The new juvenile-court law passed by the last legislature was in line with this new movement referred to by Professor Blackmar. I now beg to suggest to you a further advance along the line of modern and humane legislation. I recommend that the trial judges have the power to issue parole immediately after sentence has been imposed, in cases in which they may think it wise to do so. Every trial judge of much experience on the bench has been compelled by the demands of the law to send men to the Penitentiary when the ends of justice and the two primary purposes of penalty alluded to above would have been better subserved by the suspension of prison sentence herein recommended. The youthfulness of the offender, the fact that it was his first offense, the provocation or temptation to commission of the crime—in short, all the mitigating circumstances—should be considered not only by the jury but also by the judge before the prison brand is stamped upon an individual. It is an awful thing to put that brand on a human being. It won't rub out, and society should not put this indelible stain upon any one except as a last resort.

Let the parole power now possessed by the governor and the prison board, and which is working so admirably in both our penal institutions, be extended to the judges, to be exercised as their discretion before the prisoner is finally doomed to Penitentiary stigma. This will put some additional responsibility on the judges—responsibility of discrimination and decision—but it will work wonders in the reclamation of offenders and in the ultimate good of society. There is now reason why a prisoner worthy of parole should not be paroled before as well as after the Penitentiary brand is put upon him. Let him be subject to all the present conditions of the parole law, compelled to report to the present parole officer, and be subject to incarceration whenever he violates his parole, but give deserving and hopeful offenders another chance.

## **PENITENTIARY.**

A day recently spent at this institution revealed wonderful external and internal improvement. Mr. Haskell is a great warden, and I commend his recommendations to your favorable consideration. Among the other improvements, the capacity of the binding-twine plant has been greatly increased and the quality of the product greatly improved. This enterprise is worthy of your fostering care and of the patronage and support of the farmers of the state. It has controlled the price of binding-twine in Kansas and saved hundreds of thousands of dollars to the farmers. If the farmers would all use its product it could be made to pay all the expenses of the Penitentiary, and thus lift this burden of taxation from the people.

## **THE REFORMATORY.**

I recently spent two days at the State Reformatory, at Hutchinson. I have long regarded this as one of the most hopeful institutions in the state. In it are incarcerated offenders between the ages of sixteen and twenty-five years, sent there at the discretion of the district judges. The institution now has 357 inmates. Nearly as many—350 in round numbers—are out on parole. It is a gratifying fact that the number of inmates is much less than two years ago, the result, I believe, of many creditable causes, including the better enforcement of the prohibitory law, the wise management of the Boy's Industrial School, and the awakened interest in youthful offenders inaugurated by the new juvenile-court law. The results of the parole system are also apparent and gratifying in this institution. Seventy-eight per cent. of the young men who go out on parole attest in the correctness of their after-lives the wisdom of this humane system. Of the remaining twenty-two per cent. only finally land in the Penitentiary, eight and one-half per cent. disappear from the records in various ways, creditable and discreditable, while only eight and one-half per cent. are returned to the institution, and of these eighty per cent. go out a second time, reformed of their evil habits. This is a splendid showing. But this great institution, good as it is, is by no means as good as it should be. Much is yet to be done to make it ideal, and these efforts should be directed along three specific lines—educational, industrial, and moral or spiritual. The day-school should be greatly improved. Surely there is a great need of this, for over fifty-five per cent. of the boys who are sent to this institution must enter the first- or second-reader class. Many of them cannot read or write. I believe women teachers should be provided for these young men. Over seventy-five per cent. of the teachers in our common schools are women, and in the lower grades perhaps ninety per cent. are women. If this is a wise policy on the outside of a reformatory, why is it not inside? These boys need the refining influence of womanhood more than the boys on the outside. And this educational process should not be confined to the

recitation-room. The library should be carefully overhauled, and a system of private reading inaugurated and encouraged, under the supervision particularly of the chaplain and the teachers. A wonderful reform work can be wrought in this manner. There should be a resident chaplain in the institution, with a salary of at least a thousand dollars, who should devote all his time to work among these boys, not only in the public chapel services but in countless private ways and in the hospital. He should be not only a man of piety but of infinite tact. I know of no greater missionary field than this. I saw a half a dozen boys, most of them yet in their teens, brought into the institution. It is enough to break the heart of a stoic to see these boys sent to their little cells to begin a prison life. Many of them come from homes where the parents deserve punishment much more than do they. Many of these boys have had very little encouragement or opportunity or kindness at home. So much more do they need these things in this institution. Greater industrial facilities should be provided, as well as educational, so that when these boys go out into the world they will go out equipped for usefulness. The opportunities to learn useful trades should be multiplied in number and increased in facility. I commend this institution as worthy of your best thought and most liberal treatment.

### **SALT PLANT.**

A renewal of the effort made in the last legislature will be made in this one to establish a salt plant at the State Reformatory, at Hutchinson, and I trust with more favorable result. Many arguments can be made in favor of this project. Vast beds of salt underlie the state property. It can be mined profitably by the inmates of this institution, and, like the binding-twine plant at the Penitentiary, it can be made a powerful check upon the greed of the salt trust. Besides, it would furnish a most healthful employment, and would be conducive to sanitary influences at this institution. The making of barrels will open up the cooper's trade to the boys. An overwhelming majority of these boys, as past experience proves, go out to become good citizens. This industry will add to this good result.

### **GIRLS' INDUSTRIAL SCHOOL.**

I recently spent a pleasant and profitable day at this institution. It is a model. I doubt if it has its equal in the United States. It looks more like a big boarding-school or an elegant home than a prison for incorrigibles. One little girl expressed what seemed to be the general sentiment of the inmates when she said to me: "This home is gooder than my own home." The recommendations of the superintendent, Mrs. Julia B. Perry, who has no superior in this line of work, are worthy of your official confidence. Give her all she asks.

### **JAILS.**

The condition of many of the jails in this state is a disgrace to the counties in which they are located. I have visited some prisons of this kind in which it would be an outrage to incarcerate a cur. Their condition is simply unbelievable by those who have not seen them, and yet all kind of alleged offenders, innocent as well as guilty, are imprisoned in these foul places. So bad was one of these institutions that I asked the secretary of the State Board of Health to inspect it, and from his written report I quote a few sentences, as follows:

"I am at a loss to find words to express my surprise at the filthy and unsanitary condition in which I found the jail. . . The odor upon entering attracts one's attention immediately . . . The iron bars of the cage itself, and the floor, particularly back of the cells, are a mass of dirt and filth . . . Around one of the bowls of the closet was found water mixed with dirt, and the bowels were in such a vile and filthy condition as to be beyond description . . . The cells on the first floor were so filthy and damp and so out of repair as to be absolutely uninhabitable . . . Further description of the jail fails me, except to say that it is absolutely unsanitary, dirty and filthy in the extreme."

The law should require that all county and city jails should be constructed with a special view to light, air, and sanitation; that they should be kept clean; that the beds should be furnished with clean linen and covers that can be washed and changed frequently. The jails, particularly in populous counties and cities, should be so arranged as to permit classification of prisoners. There should be an adult department, a juvenile department, and, of course, a women's department. Prisoners serving sentence and prisoners awaiting trial should be separated. When possible prisoners should be given employment, and some system of pay for their services adopted. Work is a great reformer and remuneration a great incentive. Women as well as men should have these opportunities. At present women have no opportunity to work out their sentences. Kansas, a leader always in reform movements, should hasten to improve its local prisons.

## **JUDICIAL SALARIES.**

Theoretically the three coordinate branches of government in a republic like ours, the executive, the legislative, and the judicial, are equal, but in fact they are not equal. Borrowing a beautiful scriptural idea, it may be truthfully said that, now abideth the executive, the legislative and the judicial branches of government, these three, but the greatest of these is the judiciary. It is the final citadel of our liberties. It is the urn containing the holy of holies of government. We ought to guard our judges with jealous care; we ought to free them as far as possible from the influences of factional and partizan and all other narrow and special interests; and to a reasonable extent, at least, we should generously lift them above financial want; but the fact is, we remunerate them with parsimonious hand. I believe the salaries of our supreme court judges and of our district judges alike are ridiculously low. These salaries were fixed when the state was new and the people were poor, and when the duties of their positions were not so complicated and arduous, and when the public interests involved were not so numerous or so great; but now in the day of our prosperity, when all wages are higher and the necessities of life dearer, it is a matter of plain, palpable justice that our judges should be better paid. This is particularly true of our supreme court judges, and inasmuch as there is a constitutional inhibition against increasing these salaries during their term of service, and inasmuch as four of our supreme judges have just been reelected, and there is fortunately a week of legislative time before the new term of these judges begins, I heartily indorse the suggestion that the salaries of these judges be increased to a reasonable sum.

## **EDUCATIONAL INSTITUTIONS.**

The three state educational institutions, the State University, the State Normal School, and the State Agricultural College, show a most gratifying growth and each appeals to the patriotic pride of every loyal Kansan. Each is worthy of your fostering care. The enrolment is larger than ever

before, including 1850 at the University; 2464 at the State Normal , which includes the parent school, at Emporia (1987), the Western Branch, at Hays (201), and the Manual Training Auxiliary, at Pittsburg (276) ; and 1415 at the State Agriculture College—aggregating 5729 in the three schools. This is a magnificent showing. I cannot discuss in this message the specific needs of each institution. These are set forth at length by their respective boards of regents. If these requests seem large, I beg to assure you from a careful study of their needs that they are not extravagant. The fact is during the past fifteen years and more Kansas has been in the throes of abnormal political agitation in which a premium has been put upon demagogic "economy." Thus our biennial appropriations for the support and enlargement of these institutions have been whittled to suit the personal and political purposes of petty politicians. I am in favor of the strictest economy compatible with good service in every department of state; but I know of no higher mission of an administration than to keep public money out of the unholy hands of grafters and boodlers and to put it into the clean hands of honest and conscientious custodians of state interests. And with unprecedented prosperity existing, and a saving of several hundred thousand dollars directly, and several million indirectly, during the last two years, we should not hesitate to take large strides in an effort to "catch up" in appropriations for these institutions.

### **THE BARNES LAW.**

To witness an extension of high-school opportunities to the boys and girls of the state has long been one of my cherished ambitions. Six years ago, with the cooperation of some prominent educators, I assisted in the preparation of a bill with this purpose in view, but it failed of passage. Two years ago a bill fathered by Hon. J. S. Barnes was enacted, conditioned however upon the approval of the people of each county before it became operative. I am now gratified to report that this excellent law was approved by the people of forty-three counties at the late election, and I believe it is only a question of a few years when it will be in operation in every county in the state.

### **TEXT-BOOKS.**

Kansas, leader in real reform, was one of the first states to require uniformity of school-books in its public schools. The law was passed in 1897 and has worked wonders. About twenty states, in some form and to some extent, have followed our good example. The large school-book publishing companies and the school-book trust have stubbornly opposed this law, but it is more strongly entrenched than ever in the minds of the teachers and school patrons of the state. Under the old system, school boards and school-teachers were constantly annoyed by a horde of book agents seeking to install their books and displace others. Prices were extortionate and changes frequent. Parents moving from one district to another were compelled at great expense to equip their children with an entirely new set of books. It is a conservative estimate that state uniformity has saved to the people of Kansas during the past ten years one million dollars, while the character of the books has not deteriorated. A comparison of prices in Kansas with those in California, where the state prints its own books, shows that the people of California pay from 100 to 200 per cent. more for their school-books than do the people of Kansas. Plausible schemes will doubtless be submitted to you for the purpose of weakening the law and I warn you against them. If any change is made, let it be only after the most careful study and thorough investigation.

## **STATE SCHOOL TAX.**

Among the other suggestions made by the State Teachers' Association I would call especial attention to the proposition to levy a state school tax. This is not a proposition materially to increase school taxation. It is rather a proposition to better equalize the distribution of school taxation and the school facilities in poor districts. Only seven states, Oregon, Wyoming, Colorado, North Dakota, South Dakota, Kansas, and Iowa, are without such a law, and Iowa has a county-tax law. Kansas should catch up with this procession.

## **ADDITIONS TO THE SCHOOL COURSE.**

Kansas is preeminently an agricultural state, with horticulture looming into most gratifying prominence. These are our permanent interests. Our subterranean wealth may some time become exhausted, but our agriculture and horticulture, like Tennyson's brook, will go on forever. Wisconsin, Nebraska, Missouri, and perhaps other agricultural states, have made the teaching of elementary agriculture and horticulture a part of their common-school curriculum. Many of our educators think that Kansas should follow this excellent example, and I heartily agree with them, and with the sentiment expressed by one of these prominent educators in a recent private letter, in which he says: "In our schools we should introduce our boys and girls to the fascinating material that crowds God's out-of-doors and that enters so thoroughly into our rural life." Scientific farming is to be the farming of the future, the rudiments of which, at least, our boys and girls should learn in the common schools.

## **HIGH-SCHOOL FRATERNITIES.**

Superintendents and principals of our city high schools are confronted with a new difficulty, the growth of high-school fraternities. These fraternities should have no place in our high schools. It is difficult enough to keep them within wise limitations in colleges and universities. The essential character of our high-school system is democratic. There should be no caste in these schools. All should be on a common level. Fraternities in these institutions are in conflict with this fundamental character of the high-school system. They detract from the studious life of the pupils and cultivate a social life among the children that does not contribute either to their moral, intellectual or physical good. I believe they should be forbidden by law and boards of education given all possible power to suppress them.

## **STATE FAIR AND SEMICENTENNIAL.**

Two propositions have been earnestly and extensively discussed upon which you will doubtless be called to take official action, namely, the project of a semicentennial exposition, and the inauguration of a permanent state fair. I wish to combine these two propositions and discuss them as one. On the 29th of January, 1911, Kansas will reach its fiftieth milestone as a state. The proposition to celebrate this historic and important event in an elaborate and appropriate manner when first suggested met with a response remarkably hearty and unanimous. The newspapers of the state with singular unanimity indorsed the project, and on January 29, 1906, a convention was held in Topeka, composed of delegates appointed by various commercial clubs, county commissioners, city councils, and other municipal and corporate bodies throughout the state, and

was a remarkably enthusiastic body of men. President McKinley, in his great Buffalo speech, his last public utterance, declared that "expositions are the time-keepers of progress," and in the strongest language catalogued the good these expositions do. They involve, it is true, an immense amount of labor and a great expenditure of money, but no one thing would bring Kansas into greater prominence and contribute more to its material development and progress than would this contemplated exposition. Kansas, with only a population of 1,600,000, is capable of sustaining a population of ten million. Its vast resources and possibilities are as yet comparatively little known or appreciated. This exposition would not only stimulate our own people to greater activity, and promote among them that most potent of all influences for state upbuilding, state pride, but it would attract here hundreds of thousands of strangers, who would become fascinated with the state, who would invest millions in Kansas properties, and thousands of whom would ultimately become citizens of the state. With these sentiments I am sure you will heartily agree; but the practical question will confront you, with the countless legitimate and pressing demands upon your ways and means committees, can you afford to undertake properly to assist this great exposition enterprise. Allied to this exposition project is the kindred one of a permanent state fair. I have long believed that the state should have such an institution, that it should be no cheap affair, that it should have permanent and beautiful grounds; that its buildings should be substantial and ornamental; and that a permanent display of the state's resources, its minerals, its grains, its grasses, its birds, its animals, its arts, its literature, its every resource and development should be on permanent exhibition, for the inspection of strangers and for the inspiration of its own people. If these two projects could be combined, and I see no reason why they couldn't or shouldn't, Kansas could lead the procession in this matter, as it has led it in so many other respects, and I submit these thoughts and suggestions to the careful consideration of the enterprising and progressive people of the state, and especially to you, their representatives.

## **BUREAU OF INFORMATION.**

A distinguished member of the present and last house of representatives, Hon. W. Y. Morgan, is the author of a suggestion which I wish officially to indorse and recommend as eminently worthy of favorable legislative consideration. It is the proposition for the creation of a bureau of information. No field of investment offers the inducements of safety and increasing profit to a greater extent than does Kansas. It is an empire in itself; more than twice as large as England, three times as large as Greece, five times as large as Switzerland, and seven times as large as Belgium; larger than all the six New England states put together, with New Jersey, Delaware, Maryland and the District of Columbia thrown in for good measure. It is in the very heart of the nation. A line drawn east and west and north and south through the United States intersects in the center of Kansas. It is a choice slice of God's best creation, 400 miles long, 200 miles wide, and, as some one has said, 4000 miles deep, and reaching to the skies. The Omnipotent Artist never painted fairer skies than those which arch our prairies, and the Giver of all Good never dowered a land with a richer heritage than He has lavished upon the Sunflower state. Kansas is a state of superlatives. It is the greatest wheat-producing state in the Union. The aggregate value of its corn and wheat exceeds that of any other state. It is the most distinctively American state in the Union, its percentage of American-born citizens exceeding that of any other state. It sends more fat cattle to market than any other state in the Union. Its reservoirs of oil and its supplies of natural gas challenge comparison. Its coal, its zinc, its lead, its salt, its gypsum, its cement rock, its fire-clay, its other subterranean wealth, and its consequent manufacturing progress and

possibilities, are the envy of other states. It has, I believe, the most healthful climate in the world. And yet, with all these resources and possibilities, Kansas has as yet only a population of a little more than a million and a half people. It is capable of supporting a population of ten millions. It is practically out of debt. Its bank deposits are enormous and its per capita wealth remarkable. Its towns are growing rapidly and its lands are constantly increasing in value. All these things distinguish it as a desirable place in which to live and as a fruitful field for investment. A bureau of information, with a man like F. D. Coburn, for instance, at its head (without interfering with his present duties), would be of great value to the state.

## **THE RACE PROBLEM.**

We may theorize as much as we please with reference to the race question, but we are confronted with some stubborn facts, and among these facts, unaffected and unaccomplished by law, brought about by the logic of events and the nature of things, there has been a separation of the races, unconsciously wrought, in social circles, in church worship, and to a large extent in educational realms. Though our state institutions of higher learning are open alike to the white and the black, the fact remains that comparatively few colored boys and girls avail themselves of these educational opportunities. Of the 1850 students enrolled at the State University, only 52 are colored. At the State Agricultural College, out of 1415 students only 19 are colored. At the three State Normal Schools, out of 2464 students only 29 are colored. What is true of these state institutions is even more true of the denominational schools of the state. At Baker University, at Baldwin, out of 1012 students but 1 is colored. At the Southwest Kansas College, at Winfield, out of 342 students none are colored. At Fairmont College, at Wichita, out of 303 students none are colored. At Campbell College, at Holton, out of 440 students none are colored. At Highland University, at Highland, out of 74 students none are colored. At Ottawa University, out of 650 students none are colored. At Wesleyan University, Salina, out of 1182 students none are colored. At Bethany College, Lindsborg, out of 621 students none are colored. At Washburn College, Topeka, out of 695 students only 19 are colored. At the College of Emporia, out of 400 students none are colored. In a total student body of 11,448 students attending these state and denominational institutions, only 120 students are colored. This is a very alarming statement, and it is intensified when we reflect that, while only about one per cent. of this student body is colored, thirty per cent. of the inmates of the Reformatory and thirty-seven per cent. of the inmates of the Penitentiary are colored. The race problem, therefore, is largely an educational problem. It is apparent from these figures that the colored young people of the state are not availing themselves of these higher educational advantages to any considerable extent. The reason to all thoughtful people is apparent. It is not the result of any law. It is largely the result of an innate consciousness that the mingling of the races in these schools is to each unpleasant. But the safety of our free institutions depends upon the virtue and intelligence of the individual citizens, and these colored people are citizens. The interests of the white and black alike, therefore, demand that everything possible be done to lift them into ideal citizenship. The educational problem, therefore, is a most serious one. It must be solved, if solved at all, by colored schools. Practical men of both races realize this fact. State aid extended to this class of schools is therefore along the line of practical statesmanship, and I commend to your favorable consideration the two institutions which former legislatures have generously helped. Western University, located at Quindaro, is in a flourishing condition. It sustained a great loss in the elevation of its able and eminent president, Prof. W. T. Vernon, to be register of the treasury, at

Washington, D. C., but the acting president, Prof. Shelton French, is maintaining the splendid reputation of the school. I commend this great institution to your most liberal consideration. The Topeka Industrial and Educational Institute, of which Prof. W. R. Carter is the able and efficient principal, is another negro school in which the state has a contributory interest, and, like Western University, is doing good work among these people. State aid has been extended to this school and I think the money has been wisely spent, and I commend it to your future generous consideration.

### **ALCOHOLISM.**

Experience in the consideration of pardon cases has impressed me as never before with the tremendous importance of the liquor question on its economic side. It is hardly an exaggeration to say that, of the scores and hundreds of applications for pardon and parole which have been made to me during the past two years, ninety per cent. of the original trouble had its inception in the drink habit. This unfortunate habit and the accursed traffic which is its fountain impose an enormous burden of taxation upon the people, and, altogether aside from moral considerations, viewed wholly from an economic standpoint, the question is worthy of your serious consideration whether or not an ounce of prevention is not better than a pound of cure. I believe it would be wise to establish a state hospital for inebriates, for the treatment of alcoholism. Perhaps the new medical department of the State University might be wisely enlarged in its scope to include treatment of this class of unfortunates.

### **THE OLD SOLDIERS.**

Our debt of gratitude to our country's defenders should be intensified by the passing years and by the infirmities and necessities which age brings to them. They are rapidly responding to the bugle-call across the river. The pontoon of death is heavy with the tread of departing veterans marching to the eternal camping-ground. Forty thousand of them answer the roll-call every year on the other side. What we do for many of them, aye, most of them, must be done quickly, and we cannot do too much. I most heartily commend for your careful consideration, therefore, the wise and practical recommendations of Department Commander P. H. Coney, a copy of which will be laid on all of your desks. In addition to the recommendations of Captain Coney, I wish to suggest the propriety of the legislature providing for a regular chaplain at the Dodge City Soldiers' Home. Here is a little city of 500 or 600 souls, with its cottage homes, its public school, and other conveniences and comforts of town and home life. Surely such a place should have a resident pastor, to give these old veterans and their families the benefits and joys of regular religious services as well as to minister to them in pastoral capacity.

### **ASYLUM FARM.**

The suggestion of Mrs. Cora G. Lewis, visiting member of the Board of Control, for the purchase of lands adjacent to our state hospitals for the insane, to be cultivated by harmless inmates of these institutions, seems to me to have much merit. The suggestion seems to be wise not only from a financial standpoint but also from the standpoint of the best physical and mental good to these unfortunates, and I recommend the subject to your favorable consideration.

## **PRIVATE CHARITIES.**

In addition to the nine state eleemosynary institutions supported entirely by appropriations by the state, a large number of private institutions of a charitable nature are also partly supported by funds from the state treasury. This policy has always been open to criticism. Its wisdom has often been questioned; but conceding its wisdom, its imperfection in operation must be admitted. Some of these institutions may not need help, while other similar institutions in the state, equally as worthy, are not assisted at all. Some more satisfactory method of assisting these institutions should be adopted, if this policy is to be continued. I think the whole matter should be placed in the hands of the State Board of Control, or at least the indorsement of that board should be necessary before money is appropriated to any of these institutions. In this connection I wish to call attention to another matter. Representatives of so-called private charities are constantly going about the state soliciting contributions to their institutions. Many impostors, representing no institution at all, impose upon the charitably disposed people of the state in this manner. If some legal method could be devised by which these solicitors would be compelled to have the indorsement of the State Board of Control, it would be a great protection to legitimate institutions as well as to the people.

## **EQUAL SUFFRAGE.**

Municipal suffrage, which has been enjoyed by the women of Kansas since 1887, has proven a success. The right should be extended. No argument worthy of the name has ever been made against the right of women as well as men to participate in government with equal rights at the polls, and no such argument, in my judgment, can be made. Government rests primarily upon the ability of the governed to contribute virtue and intelligence to government, and what husband or father or brother or lover will deny these requisites to the women of Kansas? But whatever may be thought as to the wisdom of extending universal suffrage to women, certainly no fair man can deny that women property-owners should have equal right with men to vote upon questions involving taxation of their property. The word "male" has no place in a modern state constitution and should be stricken from ours.

## **THE OIL INTERESTS.**

When the last legislature assembled our vast oil interests were in the absolute grip of the Standard Oil Company. Holding out inducements of remunerative prices for crude oil, it had prompted thousands of people to put their hard-earned money into oil companies for the development of the field, but when the field had been developed at individual expense the price of crude oil was reduced two-thirds, practically bankrupting thousands of people, and all this without any corresponding reduction of the finished product to the consumer. Only one independent refinery was in existence in the state, and it was about ready to go into bankruptcy. The people were at the mercy of this monopoly. This was the condition of affairs when the legislature assembled. Four laws specifically intended to relieve this situation were enacted—a state-refinery law, a pipe-line law, a maximum-freight-rate law on oils, and an anti-discrimination law. The first of these, the law providing for the erection of a state refinery, was at once attacked in the supreme court and declared unconstitutional. The whole nation was aroused by this enactment, and with wonderful unanimity applauded the movement; for the spectacle of

the state grappling with the greatest monopoly on earth in its own field of operation was a novel and popular one. Had the law been sustained, Kansas would at least have officially and authoritatively furnished the world the inside facts of the oil business, its possibilities and profits, which in the line of publicity alone would have been of incalculable benefit and worth much more than it would have cost. The Kansas oil refinery would have furnished these needed facts, and facts are what the people need in most every matter of public interest. When they have the facts they will find some way to act upon them. The pipe-line law has so far yielded no benefit, but the maximum-freight-rate law on oils and the anti-discrimination law have been of immense benefit. They have made possible the establishment of ten independent oil refineries, all of which are in successful operation, and none of which would have been in existence to-day but for these laws. Other similar institutions are projected and some are in process of construction. These independent refineries, thanks alone to these laws, have made wonderful progress. Responding to an inquiry, Mr. L. T. Hussey, state oil inspector, has furnished me the following interesting information:

"During the year ending December 1, 1905, the independent refineries submitted to this department for inspection 4865 barrels of oil and 32 barrels of gasoline, making a total of 4897 barrels for the year; during the year ending December 1, 1906, the independent refineries submitted to us for inspection 28,535 barrels of oil and 6266 barrels of gasoline, making a total of 34,801 barrels for the year—making a net increase of 29,904 barrels for the year ending December 1, 1906."

A market for crude oil for fuel purposes has been made in remotest parts of the state, but perhaps the chief benefit has been in the reduction of the price of coal-oil and other products of crude oil to the consumer. I have made an investigation of the relative prices of these products in this and some other states for the past three years and summarize below the result. The first column in the table below gives prices at points named before the enactment of the law, the remaining columns, beginning with June 1, 1905, give prices at those points since the enactment of the law.

PLACE.	Nov.1, 1904.	Jun.1, 1905.	Nov.1, 1905.	Jun.1, 1906.	Nov.1, 1906.
Colby, Kan. .....	20	15	15	15	15
Holton, Kan. .....	15	14	13	12	10 to 12
Ellsworth, Kan. .....	17	15	15	12	10 to 12
Winfield, Kan. .....	18	15	15	15	10
Pittsburg, Kan. .....	18	18	18	15	15
Bloomfield, Mo. .....	20	20	20	20	20
Macon, Mo. .....	15	15	15	15	15
Joplin, Mo.	20	20	20	20	20

.....					
Nevada, Iowa	15	15	15	15	15
.....					
Hampton, Iowa	15	15	15	15	15
.....					
Broken Bow, Neb.	20	20	20	20	20
.....					
Alliance, Neb.	25	25	20	20	20
.....					
Claremore, I. T.	..	..	..	20	20
.....					
Grand Junction, Colo.	25	25	25	25	25
.....					
Salida, Colo.	25	25	25	25	20
.....					
Walsenburg, Colo.	25	25	25	25	20
.....					

It seems from these relative figures that Kansas consumers are buying their coal-oil about five cents per gallon cheaper than are the people of any other surrounding state. From Mr. L. T. Hussey, state oil inspector, I learn that the amount of coal-oil consumed in this state every year is about ten million gallons. It is a matter of plain mathematics, therefore, that these laws are saving to the users of coal-oil about \$500,000 every year. Perhaps a similar saving is made to the users of gasoline. I was amused and pleased to receive from the National Petroleum Association, with headquarters at Cleveland, Ohio, a copy of the Kansas anti-discrimination law, with a request that we enact it in this state, showing that that great organization is trying to get other states to follow our good example cooperated with the Kansas Oil Producers' Association last year in requesting neighboring states to adopt these laws. Iowa at once complied. Other states should follow, and this legislature could do the common cause great good by commending in joint resolution our maximum-freight-rate law on oils and our anti-discrimination law, particularly, to the favorable consideration of other states. Bills further fostering our oil interests will be submitted to you, and I am sure will receive your careful consideration. Mr. L. T. Hussey, state oil inspector, reports \$33,449.83 collected in fees by his department, while the expenses aggregated only \$15,437.05, leaving a net balance of \$18,012.78. This is a fine showing, especially in view of the fact that the new refineries imposed heavy additional expenses upon his department. It is the best showing ever made by the oil department of Kansas.

## **GOOD ROADS.**

No subject is of more real economic importance nor more worthy of consideration from the standpoint of pleasure than the subject of the improvement of our thoroughfares. It is estimated that half a million dollars are annually expended in Kansas upon its roads, but the work is done

with so little regard to the science of road-making that no adequate results follow. Farmers scarcely realize of teams, and in waste of time in hauling comparatively small loads of farm produce to market over bad roads, when much larger loads could be hauled so much more profitably with the roads improved. I do not like to recommend the creation of new offices, but it does seem to me if this whole road-making business were put in the hands of some competent experts for direction it would be a wise and economic departure from present methods of road-making.

### **THE BEST BUSINESS.**

No industry in the state has made more rapid progress in recent years than the cultivation of sugar-beets. I recently visited the new sugar-beet factory now in operation at Garden City. It was to me a revelation of the agricultural and manufacturing possibilities of that section of the state. The proprietors of this great institution have spent in lands and irrigation processes and in the manufacturing plant several millions of dollars, and began manufacturing the finest grade of sugar a few weeks ago under most favorable auspices. Indeed, their experience is said to break the record, in that there were over 70,000 tons of beets available for their factory this year. The factory is running night and day, turning out 2500 bags of superior sugar of 100 pounds each every twenty-four hours. Lands which a few years ago sold for a few dollars per acre now command from \$100 to \$200. This industry is in its infancy. Its possibilities are almost unlimited. The new process for extracting sugar from beets is making it more and more possible to profitably manufacture sugar from beets containing less and less percentage of saccharine matter, so that the area of profitable beet culture is constantly being extended. I believe there is no more hopeful industry in the United States than the beet-sugar industry. I believe its entirely possible, under modern conditions, to develop this industry until we will be able to manufacture all the sugar we consume in this country, and thus keep the enormous amount of money annually sent abroad for this common commodity, aggregating, I believe, more than 100 millions per year, at home. I would not inject partizan politics into this official document, but what I am not about to say is not political, it is common-sense business. There is not a single argument advanced by the most-pronounced protectionists in favor of protecting any American industries that does not apply with double force to the protection of this most hopeful and worthy of all our new industries. It touches the farmer, the agricultural class, who, while beneficiaries of a protective policy in general, are usually the indirect rather than the direct beneficiaries of this policy. Here is an opportunity to apply this principle to them and to their interests direct, and I do not believe it wise to rob these American farmers of the benefit of a protective policy which they have generously and freely accorded to other American interests. There are peculiar reasons why every patriotic and loyal Kansan, at least, should take this position. It is not narrow; it is not provincial; it is not selfish; it is broad-gaged and right.

### **BANK COMMISSIONER.**

I have made incidental reference elsewhere in this message to the admirable report of Bank Commissioner Royce and to the salient facts presented in that report. Mr. Royce makes numerous recommendations for the strengthening of his department, which I am sure are wise and to which, I doubt not, you will gladly respond. The growth of Kansas banking interests

demands an increase of the bank commissioner's field and office force, a fact which I am confident will appeal to your favorable consideration.

## **BANKING INSURANCE.**

The evolution of the banking business in the United States has more than kept pace with the marvelous progress of this country in other directions. The business has grown to gigantic proportions, aggregating, it is said, fifteen billions of dollars, as against nineteen billions in all the rest of the world. The banking system of this country is to commerce what the arteries are to the human body; they carry the life currents. No more honorable or conscientious men, as a rule, grace any profession than those who manage these great financial institutions. Considering the great army of men engaged in this business, the number of those who disgrace the profession and prove recreant to their high trust is remarkably small. The banking business in Kansas is particularly well managed, by exceedingly high-class men. Our laws are up to date and wholesome; but perfection in this field of human endeavor has not, of course, been attained, and the one weakness which has long been recognized by all those familiar with the subject is the insufficient security to the banker, stockholder and depositor alike against the occasional panic or "run" which periodically occurs, often without sufficient cause, but none the less disastrous on that account. How to guard against these occasional occurrences has long taxed the best minds and evolved many proposed plans. None has exceeded in wisdom, I think, the one suggested by Mr. John Q. Royce, state bank commissioner, in his admirable report, with some modifications, perhaps, that do not affect the principal involved.

The proposition is a simple one, viz., that the banks shall set aside a certain specified amount from their deposits as an insurance fund to depositors. This fund is to be deposited in the state treasury until it aggregates one million dollars, and to become a permanent security fund. The plan was ably discussed in a paper read before group 2 of the Kansas Bankers' Association meeting held in Lawrence, Kan., November 16, 1906, and reread before the group 3 of the same organization at a later meeting in Kansas City, Kan., by Mr. C. L. Brokaw, ex-president of the Kansas Bankers' Association, now cashier of the Commercial National Bank of Kansas City, Kansas, published in the December number of *The Southwestern Banker*, and seemed to meet with the unanimous favor of the bankers present. The paper is a splendid contribution to banking literature, and in a remarkably strong, logical manner sets forth fully about all the objections to the plan, with answers that must commend themselves to every student of the subject. If Kansas can evolve a plan by which bank failures can be averted, it will contribute the greatest boon ever conferred upon the banking business. A bank failure does more to destroy public confidence than any calamity that can befall a community. It takes years for a community to recover from such a calamity, and nothing is more pitiable than the suffering which follows one of these failures. The anguish of small depositors, whose all is frequently lost in these financial wrecks, is heart-breaking. Suicides are of frequent occurrence from this cause. In these periods of panic conscientious bankers walk the floors in sleepless dread of to-morrow's developments. The suggestion that such a law would put the poor banker upon an equality with the good one is selfish in its character and unsound in its conclusions. In the first place it ignores the interests of the depositors entirely, and their interests are of primary concern to the state. A bank is a quasi-public institution. The banker is an agent of the state, authorized to do business for the people. He cannot do business without the state's authority. The state hedges him about with numerous limitations in the interest of the people. It examines his books. It scrutinizes his securities. It

closes his doors when the interests of the people demand it. All these precautions have already been taken to protect depositors and public interests. But these precautions have not been enough, as countless financial wrecks sorrowfully attest. Again, no one needs this protection against the poor banker more than the good banker, and no one has more reason to feel the force of this suggestion than the excellent gentlemen now doing banking business in Topeka, since their experience with the failure of the First National of this city last year. When a citizen borrows money from the bank the banker wisely compels him to give ample security. When the bank borrows money from the citizen in the form of deposits, why should not the same rule obtain, and the bank be compelled to give the depositor ample security? That this has not been done or is not adequately provided for under our present system, all the bank failures of the past and consequent calamities have proven. The supreme court of the United States has said that the laws protect the banker from without. They furnish him the police power of the government and protect him from the robbers and the thieves, guarding his interests as those of the public, but that from within the public has no sufficient protection. Such a law would do more to create confidence in our banking system than any step ever before taken. The money hid away in secret places, to the constant hazard of life and temptation to robbers, would at once seek deposit in the banks.

If this law is passed, and I trust it will be, more stringent provisions for periodical examinations of banks and protection against unsound banking methods should supplement the enactment. These additional safeguards are needed anyhow. The fact that Kansas has had no state bank failure in two years, that is banking interests have made wonderful and gratifying progress and are now upon as sound a basis as they can be under our present statutes, should be no argument against this advance step to make them still more safe and sound. "In time of peace prepare for war" is a maxim as applicable in business affairs as in military matters. In time of prosperity prepare for adverse conditions. This is always the part of wisdom. A bill similar to the one herein proposed for the control of the national banks, is now pending in Congress, and as sure as fate will some day become a law. Let Kansas, leader in every reform, the advance agent of every progressive movement, lead also in this wise provision for the protection of its banking interests.

## **LIVE-STOCK MATTERS.**

The report from Mr. John B. Baker, live-stock sanitary commissioner, is a splendid vindication of the wisdom of the act of the last legislature in changing from a board of three members to the present method of managing the live-stock sanitary interests of the state. I believe the service has been better than ever before, while the expenses have been cut in two, and a saving to the state effected of \$8321.62 during the past two years over the corresponding two years under the old system. It only remains for this legislature to let good work in this department be continued.

## **GRAIN INSPECTION.**

The wise and necessary laws providing for the inspection and weighing of grain have been vigorously attacked in the courts by interests antagonistic, I think, to the interests of Kansas producers and shippers. The chief grain inspector, Mr. J. W. Radford, exhausted his contingent fund in defending these enactments, and called upon me for additional financial assistance, which I promptly rendered out of my own contingent fund. This litigation has developed some weaknesses in the law, which you will be asked to strengthen, which I am sure you will gladly

do. Kansas must protect in every legal ways possible its great grain interests against the greed of outside buyers who wish to control the inspection, grading and weighing of Kansas cereals in their own selfish interests.

## **STATE BOARD OF HEALTH.**

Too much credit cannot be given to the intelligent and persistent efforts of the State Board of Health, especially to its indefatigable secretary, Dr. S. J. Crumbine, for the efforts that have been made to improve the sanitary conditions of the state and promote the health of the people. I invite careful consideration of Doctor Crumbine's report and of his wise suggestions. I specially commend his recommendation for a revision of our pure-food laws along the line of the new national pure-food law. The evil of adulterated foods and drinks is incalculable. You will also learn from Doctor Crumbine's report that the State Board of Health has entered into a tentative contract with the geological survey of the federal government looking to the sanitary and industrial survey of the natural waters of Kansas. This contract was entered into after consultation with the governor and meets with my hearty approval. The government has appropriated \$1500 for this purpose, and you will be asked to appropriate a similar sum for each of two years. There is no more fruitful source of disease, especially of that dread disease, typhoid fever, than in an impure water-supply. The deaths from this disease during the past ten years have varied from 189 to 397 last year, the deaths, of course, being an inconsiderable number of those afflicted. The object of this investigation is, first, to determine the nature and condition of the natural water-supply of the state; second, to determine to what extent the natural waters are being contaminated by sewage from cities; third, to ascertain to what extent the natural waters are being polluted by industrial wastes such as come from packing-houses, creameries, refineries, smelters, oil-wells, salt works, etc., and in what way these wastes may be utilized; fourth, to investigate water-born diseases and assist in determining the best source of water supplies.

Great good to the health of the state should result from this investigation. In several states this work has been so successfully done that not only the sanitary condition been greatly improved, but the industrial wastes have been made to yield a financial profit upon the whole investment. To realize these desired conditions in Kansas our State Board of Health must be given greater authority. Its right to inspect the food supply, retail as well as wholesale, should be ample; public waterworks and sewerage systems, before as well as after their construction, should be under its supervision. The "great white plague," consumption, claimed nearly 1000 victims in Kansas in 1905. Most of these cases were persons who came here from other states, hoping in our higher altitude and healthful climate to regain their health, but the number of these cases suggests some serious questions for consideration. It is said that every state east of the Missouri river has one or more public institutions for the care of their tuberculous poor. It is also said that the German empire, noted for its progressive movements in scientific medicine, has over 200 such sanatoria. The recommendation of the State Board of Health for the establishment of an institution of this kind is worthy of your most serious attention. The State Board of Control is also confronted with this problem and will urge you to supply facilities whereby tuberculous cases in the state institutions can be isolated from the other inmates. Our laws for the collection of accurate and complete statistics of births and deaths in this state are very inadequate, and as these statistics are of vital importance in order to a proper understanding of sanitary conditions, these laws should

be strengthened and made more effective. In conclusion on this subject, I wish to express the belief that the salary of the secretary of the State Board of Health should be increased.

## **FISH AND GAME LAW.**

The fish and game law enacted by the last legislature is working admirably. There have been a few criticisms of it, but generally from those who were not fully familiar with its character. Under it the game has wonderfully increased and the fishery has been greatly developed. The law has yielded some \$41,000, but the right of expenditure of this money is clouded with some doubt. More definite control of the funds should be given to the fish- and game-warden. Seven fine ponds, averaging in size from one acre to two and one-half acres in extent, have been constructed; a fish hatchery has been built; a fine \$7000 fish car has been built especially for the use of the fish-warden; a waterway condemned that furnishes an abundance of the purest spring water, and other substantial things done that mark remarkable progress in the development of this great institution. Kansas has long been behind other progressive states in protecting its game and in propagating fish. And now that we have made a good start I sincerely hope no backward steps will be taken. The burden is individual and falls so lightly upon each sportsman that it is not seriously felt, while the aggregate good to be accomplished by the establishment and development of this great institution is incalculable. I commend to your most favorable consideration the recommendations of the fish-warden, Mr. D. W. Travis, and I am sure a personal visit to the institution, located near Pratt, by the members of this legislature would make each and all of you enthusiastic supporters of it.

## **STATE-TREASURY EXAMINATION.**

When I came into office two years ago I was confronted with the duty of continuing an examination of the state treasury already begun, growing out of charges of irregularities in that department of state. The legislature appropriated \$15,000 for this investigation. I at once appointed a high-class advisory committee to assist me in this delicate and difficult task, consisting of Judge A. W. Benson, Judge Ansel R. Clark, and ex-State Treasurer S. T. Howe. These gentlemen were selected because of their character, their knowledge of law and their peculiar fitness for the task, that the investigation might be at once lifted above suspicion of personal or partizan purpose and might command absolute public confidence, for the issue involved sacred personal character on the one side and sacred state interests on the other. With the aid of these gentlemen, I selected the well-known accounting firm of Haskins & Sells to make the investigation, and with them also formulated the instructions for the investigation. The investigation involved an immense amount of work and was very thorough and complete. Upon its completion an elaborate report from the accountants was filed with me. A carefully compiled synopsis of this report was given to the people through the public prints and the report itself thrown open to public inspection. The report showed an amount aggregating \$78,000 which needed explanation. Every one familiar with the facts knew that there was no such real shortage. This total sum included about \$16,000 interest on what are known as Oklahoma warrants, which the Shawnee county district court, as soon as the question reached that tribunal, decided was not a shortage. Much of the remaining amount, as every one knew, involved what are known as clipped coupons.

Under the law, the School-fund Commissioners are compelled to keep the school fund invested,

but they are also forbidden to pay premiums for bonds. As all desirable bonds command a premium, the School-fund Commissioners were either compelled to invest in inferior bonds or devise some method of complying with the prohibitive premium feature of the statute. This was done by devising the method of permitting the seller to clip enough interest coupons to make up the difference between the premiums which the bonds commanded on the market and their face value. As the whole report involved matters for judicial rather than executive interpretation and decision, it was turned over to the attorney-general of the state, with written instructions to take such legal steps as in his opinion might be necessary to recover whatever, if any, of the whole amount involved in the \$78,000 might be recoverable. In harmony with these instructions the attorney-general brought suit against the present state treasurer for the amount covered by his term of office, and, after a lengthy trial, the court decided that the state had no case against the treasurer, Mr. T. T. Kelly. The greater part of the unexplained amount was incurred during the administration of Mr. Kelly's predecessor, Mr. Frank E. Grimes, and that gentlemen promptly offered to settle for any sum which could not be satisfactorily explained and which might seem to be due the state from his administration from bad bookkeeping, defective records, or other causes, though protesting that he had never received a penny of personal benefit from any shortage that might exist, a statement which is fully believed by all who know him. In harmony with this arrangement Mr. Grimes paid into the treasury \$9381.25.

The investigation was further valuable in revealing the imperfection of the system of bookkeeping which has long been in vogue in the business departments of the state government. Experts have since been at work perfecting a plan for the permanent improvement of this service, which will be submitted for your approval, and which I trust will be given. If the investigation results in the corrections of this imperfect system of bookkeeping, this fact alone will be ample compensation for the labor and expense.

### **TREASURER'S BOND.**

Previous to the enactment of the depository law two years ago, the state treasurer was required by statute to give a bond in the sum of one million dollars, and no provision was made for the appropriation of any sum out of the public treasury for the payment of the expenses of this bond, if a surety-company bond should be given. The depository law referred to places upon the governor the duty of fixing the amount of bond required of the state treasurer under this new law, but the new law specifically provides for the appropriation of \$2000 to pay for the bond, provided a surety-company bond is given. Much discussion resulted as to whether the bond required under the new law was additional to that required under the old law, or whether or not the new bond took the place of the old one. The attorney-general has given it as his opinion that the bond required under the law of 1905 was an emergency bond, and was supplemental to the million-dollar bond required under the old statute, which he declares has not been repealed. He also gives it as his opinion that the provision providing for the expenses of a surety bond was temporary in its character and will not avail future treasurers. This legislature should fix definitely the status of this whole treasurer's bond matter. Placing the fixing of the amount of the bond upon the governor is, in my judgment, an unwise provision. The law itself should fix the amount of the bond, and I believe it to be also a matter of palpable justice and good business for the state to meet the expenses of a good surety bond. It is absurd, of course, to require the treasurer to pay for a surety bond, which I believe to be the best security to the state, out of his meager salary.

## **MONTHLY EXAMINATIONS.**

The law enacted in 1879 requires a monthly examination of the state treasury by the governor, secretary of state, and auditor, the language of the statute being as follows:

"The governor, secretary of state and auditor are hereby declared a board of examination, whose duty it shall be, at least once each month, without previous notice or intimation of such intended examination and inspection, to make a thorough and complete examination of all the books, vouchers, accounts, records, claims, moneys, assets and effects which are or should be in the treasury, and shall count all moneys in the treasury, and compare the books, vouchers, accounts, and records; and it is hereby made the duty of the auditor to furnish said board with the necessary books, vouchers, accounts, and records, in order to make such examination."

The performance of this duty by these officers has always been necessarily perfunctory and of little value. It is a performance similar in character to the examination of county treasuries by the probate judge and examiners appointed by the county commissioners, which every one familiar with the subject knows to be a burlesque on business. For frankly saying these things I have been severely criticized, for political effect, but I wish to reiterate them to this legislature. The intention of the law is good, but it is impracticable in operation. The duty of this examination is placed upon officials, two of whom, at least, are not ordinarily familiar with its peculiar duties, who are ordinarily not experts, and who have no time to devote to the performance of the duty which this statute requires. Such an examination as outlined in the statute would require weeks of time, even if done by experts. Hence, while the law is all right in purpose, it has always been a farce in practice. If these examinations are wise and necessary, they should be made by experts who have both the peculiar qualification and time to make them efficient. It seems to me that quarterly examinations, made by the state accountant and his assistants, would vitalize such examinations and make them of practical value. Perhaps it would be wise for the accountant to make report of these examinations to the governor, and I recommend a change in the law in harmony with these suggestions.

## **INSURANCE.**

Never has Kansas had a better insurance commissioner of insurance than the present incumbent, Hon. C. H. Luling. The affairs of his office have been admirably managed. It has been made to yield large revenue to the state and furnishes ample protection to policy-holders, with due regard to the rights of insurance companies. Mr. Luling renews some former recommendations, which I heartily commend to your consideration. Among these I especially mention the creation of the office of fire marshal and a law providing for the publication in certain state papers periodically of a list of companies authorized to do business in this state. Few people realize the magnitude of the insurance business in the aggregate in this state. If all of them realized it, the importance of these recommendations would be at once apparent.

## **LABOR BUREAU.**

The work of the Bureau of Labor and Industry and Factory Inspection has been largely augmented by recent statutory enactments as well as by the growth of the state in population and

in material interests. These conditions have put an amount of additional labor upon Labor Commissioner W. L. A. Johnson and his assistants beyond their power adequately to perform. Mr. Johnson asks for additional help, and he should have it.

## **OUR MUSEUM.**

Prof. Bernard B. Smyth, curator of the state natural-history museum, asks for a small appropriation for his department, and should have it. The collection of birds, animals, insects, etc., under his charge is a rare and valuable one, and the small amount of money he asks to enable him to add to this splendid collection should be given him for this purpose.

## **CIRCULATING LIBRARY.**

In my last message I called attention to the value of the Kansas traveling libraries. This good work has been extended by providing small libraries. This good work has been extended by providing small libraries for school districts, study clubs, literary organizations, and other societies throughout the state. This system was established in 1898 by the State Federation of Women's Clubs, and has accomplished much good by stimulating the reading taste and creating a sentiment for building up local libraries. It is the purpose of the directors of the state library to ask you to make special appropriation for completing the catalogue of the miscellaneous department of the library, in order that the contents thereof may become more fully known to the people of the state and a more general use of the books promoted, even to the extent of permitting citizens living in localities remote from the capital to withdraw books from the state library for temporary use, under proper regulations, of course, for their care and return. In this connection I want to call your attention to another proposition which will be made to you by the State Federation of Women's Clubs. They desire to turn over to the state their fine collection of pictures, known as the Kate Applington traveling art gallery, in honor of Mrs. Kate Applington, of Council Grove, who has done a great work in collecting and circulating these fine works of art. All of this meets with my approval and should meet with yours.

## **FLOWERS.**

The state spends annually many hundreds of dollars to ornament the state-house grounds in summer with flowers and ornamental shrubs, and still it must be confessed that the display has not been remarkable for its artistic skill or superlative beauty. The same expenditure of money, or even less if more wisely expended, would in a few years result in a much more creditable display. I suggest that the greenhouses at the State Hospital for the Insane and at the Industrial School for Boys be increased in capacity, and that a professional florist be employed to have charge of both of these greenhouses, and of the ornamentation of the lawns of these institutions and of the state-house grounds and of the governor's residence premises. I believe all this can be done at much less expense and with much more gratifying results than under the present method.

## **THOSE CORRIDORS.**

Every patriotic Kansan is pardonably proud of the state-house. In architectural design, in external appearance, in internal arrangement and in all-round excellence it has few equals among the

state-houses of the nation. Considering its cost, something over three million dollars, I doubt if it has an equal in the United States. Indeed, it is superior in all these respects to some state-houses which have cost several times as much. All this is creditable alike to the artistic taste of its original projectors and to the integrity of its successive builders. But it is a pity that in the construction of its wings the first could not have been last. In its relation to the city the east wing is the most prominent, but it is the least attractive because it was first built. Ultimately the state should remedy this external defect, but for the present I only recommend that the corridors of the east wing be made to harmonize with those of the other wings. These corridors are seen by more people than are the others, and give visitors a false first impression of our great state-house. I recommend the remodeling of these corridors.

### **THE BATTLE-SHIP "KANSAS."**

The last legislature made an appropriation of \$5000 for the purchase of a silver service to be presented to the officers and crew of the great battle-ship then under process of construction, in recognition of the honor conferred upon the state in naming it "Kansas." I had the honor and pleasure, as did my official staff and other Kansas friends, of witnessing the launching of this great battle-ship in the yards of its builders, the New York Ship-building Company, at Camden, N. J., a year ago last August. The ship is now completed and is one of the finest in the American navy. Competitive bids for the silver service resulted in a lively contest, and in the submission of many beautiful designs from which to select. The contract was finally awarded to Mr. Edward Vail, of Wichita, and the service is certainly a beautiful and creditable one. It consists of thirty-five pieces, liberally adorned with Kansas scenes and sunflowers, and is now on exhibition in the governor's office. I have initiated a movement to have the ship sent to Galveston harbor for the presentation ceremonies, and feel confident the president and secretary of the navy will grant the request. The ceremonies will probably occur early next summer, and I trust as many members of the legislature as possible, with their families, will attend whenever and wherever they may take place.

### **THE DEPOSITORY LAW.**

The law enacted by the last legislature providing for the establishment of state and county depositories is yielding a great deal of interest from public funds for the benefit of the people. In its general features it is an excellent law, but it needs some minor amendments. Bills for this purpose will be submitted for your consideration.

### **ONE BOARD OF REGENTS.**

I wish to reaffirm the opinion expressed in my last biennial message, that the three state educational institutions should be under the management of one board of regents instead of a separate board for each. Time and experience strongly confirm the opinion. These institutions are each a part of a whole educational system, and should be considered as a unit and built up systematically. Legislative appropriations for each should not depend upon the superior lobbying abilities of the president, faculty, regents and alumni of one school over another, as must be more and more true under the present system but one board of regents, acting with all these forces

from all these schools, should strive for fair and equitable support for each. The importance of this change will increase as time goes on.

### **SCHOOL-LANDS.**

In my last message I called attention to the fact that nearly a million acres of school-lands were still open to purchase at the minimum price of \$1.25 per acre, and recommended that "these lands should either be withdrawn from market or the price increased commensurate with the growth" of the western third of the state, in which they were chiefly located. I said: "A million dollars can be saved to the state school fund by prompt action on the part of the legislature," which was an exceedingly low estimate. The patents for these lands pass through the governor's office, and I am satisfied most of them have been purchased by speculators since the legislature failed to act. This legislature, however, may still save a considerable sum by prompt action.

### **BOY'S INDUSTRIAL SCHOOL.**

This institution for the reformation of juvenile offenders is doing fine work, but it needs some additional facilities, which I am sure you will gladly grant it.

### **EXPERIMENTAL FARM.**

Kansas has the greatest experimental farm in the world. The regents wish to enlarge the experiments, already of inestimable value, and I trust you will respond liberally to their requests.

### **NATIONAL GUARD.**

Adjutant-general J. W. F. Hughes and his able assistants have revolutionized the affairs of this important department. They have brought order out of chaos. The department was never in such fine condition as it is now. General Hughes's recommendations and requests should commend your approval.

### **LEGISLATIVE EXPENSES.**

The last legislature distinguished itself, among other things, in its economy in legislative expenses. Gradually, in the course of the years, legislative expenses had increased altogether out of proportion to their necessity, in the employment of an enormous number of useless employees and in other extravagant use of the people's money. Referring to this matter in my last message, I said: "I believe many thousands of dollars can be saved to the state in this way, without detriment to the efficiency of your honorable bodies." Nobly did the legislature respond to the demand for reform in this matter, and the saving in legislature expenses of the former session. I trust this \$40,000 over the expenses of the former session. I trust this legislature will profit by this excellent example, and honor itself and gratify the people by the strictest economy compatible with legislative efficiency.

**Respectfully submitted. E. W. HOCH.**

Transcribed from: Governor's Message to the Legislature of Kansas, January 8, 1907.

[S.l. : s.n., 1907?]

Transcription by Rita Troxel.

Editing and html work by Victoria A. Wolf,  
State Library of Kansas, August, 2003