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ABLE STATE PAPER.

GOVERNOR MORRILL'S FIRST MESSAGE TO THE LEGISLATURE.

MANY REFORMS PROPOSED.

A SINGULARLY LUCID AND COMPREHENSIVE DOCUMENT.

A RIGID ECONOMY URGED.

STATE CONSTITUTION NEEDS REVISION —A CONVENTION SUGGESTED.

Relief for the Overburdened Supreme Court Called for and the Question of an Appellate Court Discussed—A General Resume of State Affairs.

Topeka, Kas., Jan. 15.—(Special.) Governor Morrill sent to the legislature to-day the following message on state affairs:

To the Senate and House of Representatives of the State of Kansas.

I think it may not be deemed inappropriate to say to you that while I appreciate the high honor conferred upon me by the people of Kansas in selecting me as the chief executive of the state for the coming two years, I am not unmindful of the grave responsibilities that will devolve upon me, and I should hardly have courage to undertake them did I not feel that in every honest effort I make to give the people of the state good government, I shall have your hearty and undivided support. A third of a century has passed since Kansas was admitted into the Union, and you meet in this session under conditions strikingly in contrast with those that presented themselves to the first state legislature of Kansas. There has been a wonderful increase in wealth and population, a wholly changed condition of things, demanding an entirely different consideration of affairs. You will pardon me if I remind you that weighty responsibilities rest on you, and upon your action will largely depend the success of the present administration.

I am not aware that there is any demand from the people for a radical change in the laws, but they do ask for relief from the excessive taxation; that the expenses of the state shall be reduced to the lowest possible point consistent with a wise and economical administration of the state government. Owing to the financial panic, through which the country has passed during the last two years, in some respects the severest that has ever been known, and the partial failure of crops for the same period, there has been a serious depression in values and a decreased demand for labor, which renders our burdens far more oppressive than they would be in years of prosperity. It should be a source of hearty congratulation to all, that Kansas has passed through the terrible crisis with so few failures, and so little to discourage its citizens.

While legislative enactments are important in opening the channels of trade, in stimulating industries, in protecting the individual in his life and property and his right to pursue happiness according to his own judgment, there are laws of trade which will control business and which cannot be repealed by any statute of any legislative body. The waters of the river, obeying the law of gravitation, will flow to the sea, and while the building of dams or putting in obstructions may retard the current, it will not change its course, nor can it stops its flow. Wise legislation would provide for the removal of the driftwood and snags in order to accelerate the current. So industry and economy wisely directed will always find their reward in a measure, regardless of what human laws may decree. Still it is a recognized fact that legislation may disturb and restrict trade.

Foreign Markets.

And in this connection I desire to call your attention to one branch of the trade of this country that especially interests our people, and that is the increased demand for our farm products from a foreign market. For several years a steady and determined effort was made to to open up the markets of the old country to some of the products in which Kansas excels, especially Indian corn, beef and pork. Under a better light, secured by wise legislation, prejudice and cupidity were gradually yielding and our exports of these products were becoming an important factor of great value to our people, and gave promise of an increased demand for the articles in producing which Kansas can lead the world. But the present congress has, in my judgment, by ill-advised and crude legislation, assumed to dictate to foreign nations their internal policy of protection to their home industries by discriminating duties on sugar imported from countries having export duties on that article. This has led to active retaliation on the part of those countries, and all the nations of Central Europe have become commercially estranged from our country, and are taking active, and what prove to be effective, measures to prevent the importation of our meats, justifying themselves by a revival of the exploded and senseless claim that our meat animals are diseased. The repeal of the reciprocity provisions of our tariff laws has caused Spain and other countries to make a most unjust discrimination against the importation of our farm products. To relieve us of this embarrassment by the removal of this embargo, and to restore us to a condition where we can increase to its utmost limit the exportation of those articles which are our main support, is a matter of universal concern to the people of Kansas. I would therefore urge the passage of a concurrent resolution by your honorable bodies, instructing our senators and requesting our representatives in congress to introduce and work for the passage of the most effective remedial legislation in this regard.

Constitutional Convention.

When the present constitution was adopted, a large portion of the state was an unorganized waste. Only 10,326 persons voted for its adoption, and 5,521 voted against it; the whole number of votes cast being only one-twentieth as many as were cast at the last election. There were only thirty-five organized counties at that time; seventy counties of the state had no legal existence. The population of the state had been so decimated by the terrible drouth of 1860 that there were really less than a hundred thousand people within the borders of the state when it was admitted into the Union. It would hardly be possible for the small number of people living in the state at that time, with nearly two-thirds of the entire state practically unsettled, to understand, or to anticipate, the wants and needs of a state as large as this has become.

The practical limitation upon the sessions of the legislature was at that time a wise one, with the small population and annual sessions; but now that the number of the inhabitants is fifteen times greater, and the sessions of the legislature are biennial, it is impossible for any legislative body to give the calm deliberation and thoughtful study of the needs of the state that are imperatively demanded.

There is an urgent demand for a reorganization of the judiciary system. Under the present condition the number of judges of the supreme court is limited to three, and the legislature is only authorized to provide other courts which shall be inferior to the supreme court. The rapid increase in population and wealth has necessarily produced a large increase in litigation, until the supreme court is no longer able to hear the cases as fast as they are filed. For years the work has been gradually accumulating, until at the present rate of progress cases filed to-day would not be heard for six years. Present relief might be had by the formation of another court, inferior to the supreme court, but it seems to be the consensus of opinion that an enlargement of the supreme court is the only practical solution of the question, and the only one that will be entirely satisfactory. At any rate, those skilled in the law, who have given the subject the most profound study, agree in the opinion that a larger supreme court would better subserve the interests of the people. A litigant is better satisfied with an adverse decision from the supreme court than from an inferior one, as such a decision is not only a final determination of the case, but it is also a final determination of the law governing the case. And in the event of an increased membership of the supreme court, the constitution should confer upon the legislature power to afford temporary relief when the court found itself unable to keep up with its business.

There should also be a change in our apportionment laws, by increasing the number of members in both houses. By doing this the people would be more closely represented, and there would be less danger of unwise or corrupt legislation.

The provisions of the constitution with regard to the time when the legislature should convene, or the section fixing the time when the term of state officers should begin, should be so amended that the incoming state officers should always enter upon their regular terms before the legislature convenes.

More rigid constitutional provisions should be made limiting the power of the legislature in the matter of political subdivisions, so that counties, townships and school districts could not be organized within certain limits of territory or population, and also limiting the power of such political subdivisions in the extent to which debts may be created, as well as the purpose for which the same may be incurred. Greater restrictions should also be placed upon legislation appropriating public moneys or authorizing the incurring of public debts, and the purposes for which money may be appropriated or debts incurred should be carefully defined and sharply restricted. The governor should have authority to veto any section or clause in any appropriation bill that does not meet his approval.

The letting of convict labor to contractors should be prohibited, and such labor should be employed only on behalf of the state, or where it will least conflict with the interests of other labor in this state.

The right of action to recover damages for injuries resulting in death should be guaranteed to the people by constitutional provisions, and the amount recoverable therefor should not be subject to statutory limitation. The power of courts to set aside excessive verdicts is a sufficient guaranty against abuse of the right.

There should be clear and well-defined limitations of the powers of corporations, and the legislature should be restricted in its modes of authorizing the organization of corporations, and a reasonable tax should be imposed for every charter.

The present constitution provides that "all laws of a general nature shall have a uniform operation throughout the state, and in all cases where a general law can be made applicable, no special law shall be enacted." The early decisions of the supreme court, that the legislature is the proper judge of whether the general law should be made applicable (decisions that have been so long followed that they have become practicaly a part of the constitution, by long continued usage), practically render this clause of little force. There should be a prohibition of special legislation which should be universal, except in cases of the most urgent necessity.

Trusts and combinations to enhance prices, should be prohibited in the constitution.

There should be a limit to the value of the homestead exemption allowed, so that properties of great value may not be held beyond the reach of creditors. The present clause in the constitution was placed there when very few quarter-sections were worth more than $1,000, while now many with improvements are worth each from $40,000 to $50,000.

The provisions with regard to the elective franchise should be so changed that parties guilty of betting on elections, or of giving or receiving bribes, or of promising or receiving promises of emoluments, should not be entitled to vote.

The receiving of passes, franks, or special privileges from railroad, sleeping car, telegraph, or telephone companies should be prohibited to all public officers.

The constitution should absolutely prohibit the appointment of any member of the legislature, during his term, to any office created by the legislature of which he was a member, and no member of the legislature should be eligible to appointment by the governor to any office, during the term for which he was elected a member of the legislature.

The constitution vests the full management and investment of the school funds with the secretary of state, attorney general and superintendent of public instruction, and provides that any two of them shall constitute a quorum. These officers are chosen without any reference to their special fitness as financiers. They are liable to be changed every two years. The care of the school fund, now amounting to more than $6,000,000, involves great responsibilities, and ought not to be left to the absolute control of two or three inexperienced men. A change of the constitution in this respect is imperatively demanded.

Many other reasons, in my judgment urgent and unanswerable, might be presented in favor of a constitutional convention. The expense, I presume, would be the most serious objection urged against it; but I am satisfied that a simple clause limiting the power of the legislature to appropriate money and to allow the incurrence of debt by municipalities, and the further provision allowing the governor to veto any clause in an appropriation bill, would save the state more every five years than the entire cost of a convention. For these reasons it seems to me impracticable to make any violent or radical changes in our laws now, but such amendments might be made as will correct present inconsistencies or repeal unwise laws. A new constitution when adopted will necessitate a revision of the laws to conform to the new limitations.

The Supreme Court.

Unless it is intended and desired to deny justice to a large class of our citizens, it is imperative that immediate steps be taken to relieve the supreme court of some of its burdens. The increase of business has been so great that the court is now hearing cases that were filed four years ago, and at the rate of progress it has made since the "commission" expired, it will be six years before the case filed to-day can be heard. The constitution limits the supreme court to three judges, so there is no possible way of getting immediate relief by increasing the number, as only an amendment to the constitution would afford that relief. Partial relief could doubtless be reached by allowing the judges to dispense with written opinions in all cases where, in their judgment, the same questions had been decided in previous opinions, or where only questions of fact were at issue. Further relief could also be reached by limiting the cases that could be appealed to the supreme court to those involving constitutional issues, or where the title of real estate or the question of franchises is raised, or where the amount exceeds $200. It is doubtless true that the fact that the court is five or six years behind with its work induces the filing of many appeals which would not otherwise be taken. There would be less inducement for litigants in many instances to take their cases to a higher court if they knew a decision would be reached in a few weeks. Litigation ought to be discouraged rather than encouraged; and while it may be a heaven-born right for the average citizen to go to law whenever he pleases, I could never see the justice of taxing a community several hundred dollars to defray the expenses of a court in order that two stubborn men might have the ownership of a ten dollar calf decided.

There is now a general demand from the people of the state for an intermediate or appellate court, inferior to the supreme court. There seems no other feasible method of relieving the present congestion, which works a great hardship to many worthy litigants, especially those who have suits pending against corporations, or persons wealthy enough to be able to take appeals for the sake of delay. If, however, a court of this character is established, I would earnestly recommend that it be a temporary one. It could be so arranged that it would terminate in five or six years, and any future legislature could provide for its continuance if it was found necessary.

Judicial Districts.

During the years when the population of Kansas was rapidly increasing, and new counties were being organized at each session of the legislature, new judicial districts were created, many of them anticipating a future growth of the western portion of the state that has not been realized. There has been in certain sections of the state a marked decrease in the population, and as the titles to the lands have become settled, and the speculative fever of those times has subsided, litigation has rapidly decreased. The number of judicial districts is far in excess of the requirements of the people, entailing a needless expense of from $25,000 to $40,000 per year. The contrast between the number of voters in some of these districts illustrates forcibly the uselessness of having so many judges. The Eleventh judicial district cast 17,305 votes at the late election. The vote cast in the Sixteenth, Twenty-third, Twenty-fourth, Twenty-seventh, Thirty-first, Thirty-second and Thirty-third amounted only to 18,107, or only 800 more in the seven districts combined than in the one. In other words, the one district had nearly as many voters, and probably more population, than the entire seven above referred to. Litigation depends upon the character, number and wealth of the people. The seven districts named had no large cities, where criminals find a refuge. They had less commercial business, and a large part of the wealth of these districts consisted of unoccupied lands owned by non-residents. So there would be every reason to suppose the litigation would be less in proportion to the number of inhabitants rather than more. The First judicial district cast 14,538 votes, the Second 4,917, while the Thirty-second cast only 1,950 votes. Everything else being equal, the judge of the First district had fifteen times as much work as the judge of the Thirty-second. The Fifteenth district cast 13,591 votes; the Thirty-first, 1,154 votes. Twelve of the judicial districts have nearly 100,000 more inhabitants than the other twenty-three districts. The tendency of an increase of districts is to increase litigation. The judge who has all the work that he can do will not be inclined to encourage needless litigation, or to increase court expenses.

There ought to be a complete redistricting of the state for judicial purposes, and a reduction of at least twelve districts in number. This would save to the state in salaries of judges alone $30,000 per year. I am not unmindful of the difficulties in the way of a redistricting of the state, but I have confidence to believe that this legislature has the good judgment, courage and the ability to carry out a reform which commends itself to the intelligence of every voter in the state.

Permanent School Fund.

The investment of the permanent school fund of the state is a matter of grave public concern, and it should be guarded very carefully. There are about $6,000,000 in this fund. Several hundred thousand dollars of this money are reinvested every year. Too much care cannot be taken in the quality of the securities purchased. The safety of this fund is of the highest importance, and should be protected more sacredly than even the funds in the state treasury.

During the boom period in Kansas, while values were inflated, large amounts of bonds of various kinds were purchased. I would recommend that a legislative committee be appointed to thoroughly investigate the securities on hand, with instructions to report the actual cash value of each, and to recommend such steps as may be deemed advisable to fix the responsibility of illegal investments, to collect doubtful securities, and to suggest any necessary legislation to guard investments in the future. And I would suggest that this committee be appointed early in the session, so that it may report and recommend any amendments to the law that may be necessary for the protection of the fund.

No penalty whatever is attached to the violation of the law by the school fund commission, in regard to the class of bonds they may purchase for the permanent investment of the various school funds. There are now thousands of dollars invested in bonds which were not authorized by law, and which may prove a total loss to this fund. Bonds have been purchased that are not even recognized by the counties from which they purport to have been issued. The laws governing this board should be made more stringent, and severe penalties should be provided for any violation of them. Each commissioner should give a bond as loan officer of not less than $100,000, and the law should provide that he should be held liable on that bond for any loss that might arise from the purchase of bonds not authorized by law. No more important duty devolves upon you than to guard with jealous care the funds set apart for educational purposes.

Intemperance.

The blighting influence of intemperance is still seen in our state. There is scarcely a community that does not suffer from this cause, and happy is the family that is not directly affected by it. Its approach is so insidious that its danger is scarcely realized until it is too late to stay its evil effects. How to cure, or even lessen the evil, has commanded the earnest thought of every lover of his race, be he statesman or moralist. Its demoralizing effects are universally conceded, and can hardly be exaggerated. Much of the poverty and crime, the suffering and the sorrow existing to-day can be clearly traced to its evil influence. Whatever tends to refine and elevate a people—to give them purer and nobler aspirations—will surely tend to lessen this evil. The great work in removing intemperance from our land must be done through the churches, schools and other elevating helps. Law is only a help—an assistant—and never should be placed before moral influences. It in fact can only be enacted when moral forces have created a healthy public sentiment against intemperance. It is invaluable as an aid to help to create and maintain a healthful public sentiment, but ought never to be substituted for it. The great work of advancing the cause of temperance can only be done by thorough organization and active effort along the lines of education and moral suasion, aided by laws fully abreast of the public sentiment.

I cannot refrain from expressing my unqualified commendation of the action of the Chicago & Alton Railroad Company in requiring that their employes shall abstain from the use of all intoxicating liquors. The public have a right to demand that the men under whose care they place themselves when traveling shall be sober men; and it is to be hoped that the railroad companies of this state will soon follow the worthy example set them by the Chicago & Alton company.

In 1880 an amendment to the constitution was adopted, prohibiting the manufacture and sale of intoxicating liquors, except for medical, scientific and mechanical purposes. In 1881, 1885 and 1887, laws were passed providing for the enforcement of this provision of the constitution. Three legislatures have since been elected, and no attempt has been made to repeal or essentially modify these laws. It is therefore fair to assume that the people desire this to be the settled policy of the state upon this subject. The only fair interpretation to be placed upon their action is that they are determined that the open saloon shall not return to our state, and that they believe that the effect of the prohibitory law has been to lessen the evils of intemperance.

That the law is but imperfectly enforced, is conceded by all. Law is but a reflection of public sentiment, and the enforcement of law will always depend upon the action of the people. Experience has fully demonstrated that the enforcement of any law in oppposition to the pronounced sentiment of the community cannot be long successfully accomplished. Whenever the people in any community demand the enforcement of a law, "their voice will be heard." Without the support of public sentiment, the efforts of the officers to enforce the law will not be crowned with success. All laws ought to be enforced, for the open violation of any law is demoralizing to the public conscience. It breeds a disregard for law, which is dangerous to any community. In this country the law is supreme. It is the governing power; and a disregard of the law is a disregard of the government itself. A continuation of the open violation of any law can only result in evil to the sate. The duty of every officer is plain; the legislature declares what the law shall be; it is the duty of the executive to obey and enforce it.

Assessment and Taxation.

There is an almost universal expression of dissatisfaction with our present mode of assessing property for taxation. That it is unequal and consequently unjust, no one familiar with it would for a moment deny. It is probably one of the most difficult matters to provide for in our laws. Our theory of taxation is that property should pay the tax, and the only safe rule to follow is to assess all property at its actual cash value without regard to its character or the use to which it is applied. To a certain extent, however, the revenue derived from property ought to be taken as a basis upon which to compute its value. If every piece of property in the state were assessed at its actual cash value there would be absolute equality in the payment of taxes. But the same would also be true if all the property in the state were assessed at ten, twenty or eighty per cent of its real value. The inequality arises, not from the fact that the property of the state is assessed too low, but because it is assessed unequally. When one piece of property is assessed at ten per cent of what it is really worth and another piece is assessed at its full value, and other property is not assessed at all, great injustice is done to some of the taxpayers; and yet that condition of things actually exists in our state to-day. Millions of dollars' worth of property escapes taxation entirely as a result of ignorance, inefficiency or willful dishonesty on the part of assessors. Other property is assessed at from ten per cent to ten per cent of its actual value, according to the judgment or whim of the assessor.

There would be less danger of this inequality if an honest attempt were made by all assessors to place the true value on all property; but before that could be safely done the laws in regard to limitations on levies should be changed. To make the assessment four or five times what it is at present, allowing the limitation on the levy to remain where it is, might prove practical confiscation of property in some school districts, or counties even. After a patient and careful examination of the law, I am unable to see where it fails to provide for an honest, impartial assessment. The fault seems to be rather in the administration of the law than in the law itself. If the proper officers complied strictly with every provision of the laws relating to assessment and taxation, there would be little cause for complaint. More severe penalties might be attached for violations of the law, but that remedy would hardly accomplish the desired results, for when an assessor makes his return, with property assessed at 10 to 25 per cent of its real value, and swears that he has to the best of his judgment given the true value, he knows, and everybody else knows, that he commits willful perjury. But how can you prove that he has not used his best judgment in declaring values?

What, then, is the remedy? In the first place, it is impossible to get an equal, just valuation of property under our present system. When you divide up this assessment of property among a large number of men, you increase in the same proportion the difficulties in getting a uniform valuation. It would be a great step in the right direction if there were but one assessor in each county, and he should be appointed for a term of four years by the judge of the district court in which that county is located, the appointment to be approved by the county commissioners, who should also decide the number of deputies that he should have, and should also approve his selections. By having the appointment of the assessor made by the judge and for a period of four years, he is removed from the temptation to favor parties for their political influence, and he would be far more independent in his attempts to discover property that is withheld from assessment. Now we have about 1,600 assessors, largely men with little practical experience, selected more because they have little else to do and are "good fellows," each trying to keep his assessment down so that his township may pay less than its honest share of taxes. These men are elected for one year and are dependent for their re-election upon the men whose property they are valuing. The county commissioners should be required not only to equalize as at present, but it should be their sworn duty to raise the assessment of any piece of property that they found placed below its actual value; and in case county assessors are to do the work, the time of assessment should date from January 1, thus giving two months more time for the assessment. But there is little hope of improvement until a more faithful administration of the law can be had. It makes less difference what the law is, than how it is administered. There

Continued on Sixth Page.

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CANTANKEROUS POPS

KANSAS SENATE WILL NOT SIT WITH THE HOUSE IN JOINT SESSION.

LOOKED LIKE WAR AT ONE TIME.

THE HOUSE PROPOSED TO BRING THEM IN VI ET ARMIS.

BETTER COUNSELS PREVAILED.

CONTENTION WAS OVER THE STATE PRINTERSHIP MATTER.

Republican and Democratic Senators and One Populist Withdrew to the House and Elected Major Hudson to the Office of State Printer.

Topeka, Kas., Jan. 15.—(Special.) Upon the assembling of the senate retiring Lieutenant Governor Daniels presented Lieutenant Governor Troutman as his successor as presiding officer and begged for him that consideration and courtesy which had fallen to his part.

Upon taking the gavel Governor Troutman addressed the senate as follows:

Mr. Troutman's Speech.

Gentlemen of the Senate:—Upon the walls of the old Roman senate hung this significant maxim: "Let what each senator thinks of the republic be written on his brow." This aphorism is a forceful demand for candor in politics. In the discussion of problems affecting the policy or destiny of government no man should be proscribed for a frank and manly defense of his convictions. Politics and patriotism should be inseparably blended in the halls of legislation. However mercilessly partisan detraction and defamation may sweep over party policies and party leaders, in the fervor of a campaign, candid and honest conservatism should be the dominating force in legislative assemblies. The vindication of your party's policy can be found only in its legislative and executive administration. Campaign theories must find their exemplification in legislative and administrative history. It is no imputation upon the judgment or the conscience of a senator that he maintains upon this floor the ideas for which he contended on the stump. But our campaigns proceed with such animation and ardor that we have a magnified estimate of our differences. Two men representing contending political parties meet and talk together and agree upon the many things and disagree upon the few. Aggregate individuals into a deliberate assembly and they agree upon the few things and disagree upon the many. Why? Because the imperceptible and unconscious tyranny of association robs them of their individuality and restrains their candor.

There are 7,396 sections in the general statutes of Kansas, and there are not 200 sections about which there could be any reasonable partisan contention. The last legislature passed 188 bills, not more than four or five of which are, in any sense, partisan in their scope or purpose, and yet, with the exception of a few immaterial members, party was arrayed against party in the discussion and passage of more than a score of them.

Liberal latitude in discussing questions closely allied to party platforms should be expected and tolerated. Let what each senator thinks of every measure of legislation be written on his brow.

The only man in this body upon whom absolute political neutrality is enjoined is its presiding officer. Without any abatement of my Republican zeal, or the yielding of my vested campaign rights, it shall be my constant endeavor here to recognize no Republican, no Populist, no Democrat, but senators of Kansas, representing the individual sovereignty of the state.

To preserve the integrity of American manhood and the inviolability of American citizenship should be the aim of all legislation. I am here not to direct, but to aid you in accomplishing this aim, and to assist you in subserving the best interests of the state.

I assume these official duties with a full realization of their responsibilities, knowing that in their discharge I shall need your constant aid, and many times your generous forbearance. With full confidence in the integrity of your purposes and the patriotism of your desires, I invoke the co-operation and support of senators on both sides of the hall.

Upon motion of Senator Morgan Governor Daniels was presented with the gavel he had used during the session of two years ago.

A message was received from Governor Morrill in which he stated that he found the records of his office in such confusion that he was unable to learn just what nominations had been made by his predecessor, but he desired to withdraw the name of Senator Landis as a member of the state board of charities and all other nominations which had not been acted upon.

Senator O'Bryan presented a petition from hotel keepers from all parts of the state praying for legislation in their protection from deadbeats, etc.

Senator Sterne presented a petition asking for the adoption of a certain index to conveyances.

Senator Wilcockson presented a petition from citizens of Rooks county praying that no steps be taken toward resubmitting the liquor amendment.

The order of introduction of bills received the following response:

Dillard—Three bills amending civil code.

Taylor—Covering into the treasury all that portion of the $9,000 "cholera fund" not already expended by the state board of health; to regulate meetings of county commissioners in counties having more than 25,000 inhabitants.

O'Bryan—To prevent competition for a purse or sweepstakes in any speed ring; an act providing for protection to motormen in cable cars.

Brown—Withdrawing certain schools lands from market and providing for tests of irrigation upon them.

Danner—To enable Harvey county to build a court house.

Reed—Authorizing the city of Cherokee to issue water bonds.

Sterne—Relating to obstructing the operations of railroads.

Cooke—To prevent the premature burial of human beings.

By ways and means committee—Appropriating $30,000 for payment of legislative expenses for the first ten days of session.

Landis—Regulating fees in certain cases.

Wilcockson—To enable Sherman county to vote bonds in aid of irrigation.

King—To regulate fees and salaries in Cowley county.

Thacher—Relating to duties of county attorneys; relating to escape of prisoners.

Baker—Defining fraternal benefit societies and limiting their powers.

Senator Dennison introduced a resolution condoling with Senator Price, of Atchison county, in his illness and it was unanimously passed.

Senator Carpenter introduced the following resolution:

Whereas, The governor has received a telegram of which the following is a copy: "Dillon, Mont., Jan. 14, 1895.—To the governor of Kansas: Relief societies are being organized here to send to destitute people in your state clothing and provisions. Kindly advise me names of reliable parties and their addresses, with whom we can communicate so that arrangements can be made with the railroad company for reduced rates. Answer. F. T. Collins, agent Union Pacific railroad." And

Whereas, The destitution throughout the state is not of sufficient extent to justify us in calling upon the charitably disposed of other states; but on the contrary where destitution, if any does exist, we feel perfectly able and willing to fully and promptly relieve the same; therefore be it

Resolved, That while we feel grateful to the people outside of the state for their kindly proffers of assistance we would respectfully ask that no subscriptions of aid be forwarded until such time as may be called for by the proper authorities, and that all solicitations for aid by private individuals is entirely unauthorized."

This resolution at once provoked a lively debate. Senator Shearer said he did not like to make any such answer to the generous people of Montana.

Senator Brown said the people of Western Kansas were not suffering in a manner which could not and would not be relieved by the people of Kansas themselves.

Senator Carpenter also spoke in this line, and said it would be a blot upon the state if the impression went out that Kansas was begging from other states.

Senator Wilcockson, speaking for his part of the state, said no such aid was desired. "We can take care of our own poor," said the senator.

Senator Senn and several others on the Populist side objected to the resolution and moved to refer it to the committee on state affairs. This carried by a vote of 17 to 13, the Republicans voting no.

At this juncture came the first preliminary skirmish in what for a while appeared to be a revolution. A joint resolution was received from the house which provided that the two bodies meet at 12 o'clock to-day in joint session for the election of a state printer. A motion was made to put this resolution under consideration at once. A debate followed, Senator Dennison urging that the resolution go over until 2 o'clock p. m. A vote being taken on the motion it was lost, but when Senator Thacher, in explaining his vote, made an earnest plea to the senate as to the constitutional duties of senators, all but five of the Populists changed their votes to aye and the motion prevailed. Then Senator Dennison moved a substitute to the house resolution, the substitute providing that the joint session should meet as provided in the original resolution, but that a state printer should not be declared elected until he had received a majority vote of each house instead of a majority of the joint session. This substitute carried by a vote of 18 to 17 and the Populists had apparently carried their point to defeat the election of a state printer by joint session.

Senator Brown, on the part of the Republicans, entered a protest against this revolutionary proceeding.

Senator O'Bryan said that the hour of 12 o'clock had now arrived and that he was going at once to Representative hall to perform his constitutional duty.

Presiding Officer Troutman pounded the gavel down hard on some of the noisy gentlemen on the Populist side of the house and spiritedly said:

"It is certainly part of my duty to see that this body obeys the mandates of the constitution, the laws, and years of custom. I now declare that this senate shall take a recess to the hour of 2 o'clock, and I request the senators to follow their presiding officer to Representative hall, there to participate in the joint session for the election of a state printer. The secretary and sergeant-at-arms will accompany the senate."

Then, accompanied by the entire Republican side, and by Senator True, from the Populist side, Presiding Officer Troutman proceeded out of the chamber. But neither secretary nor sergeant-at-arms followed. Hardly had the door closed on the last Republican than President Pro Tem King took the chair and a warm debate ensued.

Senator Leedy protested against the revolutionary tactics his fellow Populists had adopted in this state printer matter, and moved that adjournment be taken at once to Representative hall.

Senator Jumper said that the place of the senators was in the senate and if there was anything revolutionary in here it was on the part of the Republicans.

Senator Forney said that his fellow Populists were proceeding wrong in this matter. That the constitution required an election on this day, and he was in favor of following the Republicans.

Senator Dennison said some of the senators seemed to be getting excited over this affair. If the house had sent its resolution at an earlier hour the senate might have amended it and sent it back in time to meet at 12 o'clock. The constitution did not set an hour at which the election must be made. There was no custom which this senate could not overturn.

Senator Forney—"What will we gain if we stay here?"

Senator Dennison—"What will we gain if we go there?"

Senator Forney—"It is plainly our duty to go there. A trap has been set for us by the Republicans and we are staying here caught in it."

Senator Householder—"I am just informed that the house has instructed its sergeant-at-arms to come over here and fetch us there, and I move that our sergeant-at-arms be instructed to keep him out of this chamber." (The doors were then locked.)

Senator Leedy—"If they want to try force on us it will take more sergeant-at-arms than were sworn in over there last week, but I am still in favor of going over and taking part in the election."

Presiding Officer King said he had never before heard of a presiding officer leaving his chair and calling for the senate to follow him. We should protect our dignity by waiting for an invitation from the house.

Senator Rogers—"I am opposed to following a mob anywhere. We are opposed to anarchy; let's not follow the anarchists."

Forney and Leedy insisted that the Populists were losing their chance to do something; that the courts must settle the printer question anyway.

Dumbauld moved to proceed to the house when an hour had been fixed, but Householder interposed a motion to adjourn, and this had hardly been adopted when the Republicans trooped back into the chamber with the statement that a state printer had been elected.

Fifteen senators went over to the house and voted in the joint session, while twenty-two remained in the senate chamber.

Afternoon Session.

The committee on district apportionment reported favorably upon Wilcockson's bill, which reduced the terms of court in the Twenty-third district from three to two terms a year. It was placed on its third reading and passed.

The remainder of the afternoon was taken up in routine work and in hearing read the first annual message of Governor Morrill.

House Proceedings.

There was an unusual crush of people at the doors of the house this morning and in spite of the fact that only people were admitted who had passes it was evident that in the matter of signing passes the speaker had not stayed his hand, for the crowd in the lobby filled up all the available space before the house convened and still others were waiting outside with passes in their pockets.

Very shortly after the house convened this morning a message was received from the senate stating that that august body had passed an appropriation bill providing for the pay of members and employes.

John Seaton, of Atchison, introduced a joint resolution providing for the joint meeting of the house and senate at 12 o'clock for the purpose of electing a state printer. Mr. Trueblood, Populist from Osage, moved to amend the resolution so as to provide for the election of a state printer to take possession of his office on July 1.

Mr. Trueblood was evidently trying to guard against an effort to fire Mr. Snow from office at once. The speaker, however, held that the term of state printer

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Thermometer yesterday—Minimum, 31; maximum, 37.

To-day we look for the weather to be fair.

The Outlook.

This Month's Business Starts Off to Beat Any January Record.

Prices Are Low, of Course, But That Is Necessary.

Frequently we are asked, "How's trade?" "What's the outlook?" It seems to us that now is a good time to answer those questions.

Trade is firstrate. It starts off for this year in such an encouraging manner that we now believe the sales will foot up large enough to beat any January record.

Goods have never been known so low in prices as they are to-day.

A short time since, while reading a comparative report of the prices of raw materials, we noticed that *Cottons* had reached the lowest point known in years.

By reason of this manufactured cottons are to-day far lower than they may soon be. As illustrative of the low prices at which manufactured cottons are selling, we say that beginning to-morrow morning we will sell 10,026 yards of fine Zephyr Ginghams, the 10c and 12½c kinds for 7½c yard.

It's a short story, how we can sell these Ginghams at 7½c a yard.

Certain big Eastern jobber had on hand a big lot of these Zephyr Ginghams—wanted to "clean house"—offered the lot—10,926 yards—at a low figure—we saw it was a good thing—that you would want them—that now would be just the time for Zephyr Ginghams and that 7½c was just the price tor a regular 10c and 12½c Gingham.

They're here now—10,026 yards of them—the value is 10c and 12½c—to-morrow the price will be 7½c.

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necessarily commenced on the 1st of July and that the amendment was out of order.

Mr. Eckstein, of Sedgwick, introduced a resolution granting the use of the hall for the meeting of the State Bar Association on Wednesday evening.

A resolution was introduced by Mr. Sutton, of Russell, granting the use of the hall for the annual meeting of the State Historical Society this evening.

When the time for introducing bills came on the members showed that they had loaded up during the recess from last Friday. Forty-three new bills was the record this morning. Among those of importance were the following:

House bill No. 121, by Hackbusch, provides that all convicts upon being discharged from the penitentiary shall immediately leave the county in which the penitentiary is situated. Unless the discharged convict gets out of the county within twenty-four hours he is liable to imprisonment in the county jail for one year.

House bill No. 122, by Hackbusch, amends the prohibitory law so as to make the penalty for violation either fine or imprisonment, instead of both.

House bill No. 123, by Cubbison, makes all chattel mortgages given to secure an indebtedness bearing a greater interest than 10 per cent per annum void.

House bill No. 134, by Cubbison, provides for the redemption of real estate sold on execution at any time within eighteen months.

House bill No. 137, by McCown Hunt, declaring the 22d of February a legal holiday.

House bill No. 138, by Caldwell, is a bill to encourage irrigation. It appropriates $15,000 for the years 1895 and 1896, to be expended under the direction of the state board of agriculture in making experiments. These experiments are to be made on school lands belonging to the state.

House bill No. 139, by Lewis, is a comprehensive irrigation bill. It provides for the appointment of five commissioners, who shall be appointed by the governor, whose business shall be to locate and contract for the boring of artesian wells in the western part of the state. Under this bill that part of the state lying west of the 99th meridian is divided into five irrigation districts, and these commissioners are to be selected, one from each district, and not more than two of said commissioners to belong to the same political party. The bill provides for the appropriation of $100,000 for the purpose of carrying on these experiments.

House bill No. 141, by Johnson of Nemaha, provides that the bonded debt of a city of the second class shall not exceed 10 per cent of its assessed valuation, in addition to water works bonds and bonds for special improvements.

House bill No. 143 legalizes the acts done at the court house in Kingman county, which is located outside the county seat.

House bill No. 146, by Wright of Edwards county, proposes to repeal all laws designed to give effect to the prohibitory amendment.

House bill No. 147, by Marshall, is similar to half a dozen other bills already introduced giving power to county attorneys to have persons who are suspected of having looked upon liquor when it was red brought before some judge or justice of the