

# Leavenworth Constitution

April 3, 1858

## ORDINANCE.

By the authority of the people of Kansas, be it ordained by this Convention, irrevocably, that the State of Kansas will never, without the consent of Congress, interfere with the title of the United States to the public domain, or unsold lands within the limits of said State, or the primary right of the United States to dispose of the same, or with any regulation which Congress may prescribe for securing the title thereof to purchasers in good faith; and also, that no tax or other assessment shall be imposed upon the lands belonging to the United States :  
Provided, That the conditions following shall be accepted and agreed to by the Congress of the United States:

First. The sections numbered sixteen and thirty-six in every township, including Indian Reserve or Trust Lands, in said State, (and where either of such sections, or any part thereof, has been sold or otherwise aliened or appropriated, other lands equivalent thereto, as nearly contiguous as possible,) shall be granted to the said State exclusively for the use of the common schools.

Second. That seventy-two sections of land shall be set apart and reserved for the use and support of a State university, and sixty sections for the use and support of four district colleges, to be located in the four equal divisions of the State -said lands to be selected by the Governor of the State, subject to the approval of the Commissioner of the General Land Office.

Third. That thirty-six sections of land, to be selected by the Governor of said State, shall be granted to said State for the purpose of the erection of public buildings at the seat of Government, and the erection of buildings for the various public benevolent institutions created by the State Constitution.

Fourth. That the salt springs, and gold, silver, copper, lead, or other valuable mines, not exceeding twelve in number, with six sections of land adjacent, shall be granted to the said State, to be selected, used, or alienated, as may hereafter be prescribed by law.

Fifth, That five per centum of the net proceeds of the sales of public lands within said State, sold by Congress after the admission of said State into the Union, shall be paid to the said State for the purpose of creating a common-school fund, the principal to be held sacred, and the interest to be applied to the education of the children of Kansas.

Sixth. That each alternate section of land now owned, or which may hereafter be acquired, by the United States, lying for six miles in width on each side of the following lines of railroads, shall be granted by Congress to the State of Kansas: First - Commencing on the Missouri State line, at some point south of the fourth standard parallel line, and traversing southern Kansas westwardly. Second - Commencing at some point on the Missouri river, or Missouri State line, and traversing central Kansas westwardly. Third - Commencing at some point on the Missouri river, and traversing northern Kansas westwardly. Fourth - Commencing at some point on the Missouri river, and running southerly in the direction of the Gulf of Mexico: Provided, That, should the alternate sections along the lines of said railroads be disposed of, an equal number of sections shall be selected from any other public lands contiguous to said railroads; said lands to be reserved and conveyed to the State for the purpose of aiding in the construction of said railroads, under such rules and restrictions as may hereafter be prescribed by law.

The Congress of the United States, in conjunction with the proper authorities of this State, may adopt the necessary measures for carrying the general provisions herein contained into effect.

#### PREAMBLE.

We, the People of the Territory of Kansas, grateful to Almighty God for our Freedom, by our delegates in Convention assembled, having the right of admission into the Union as one of the United States of America, consistent with the Federal Constitution, and by virtue of the treaty of cession by France to the United States, of the Province of Louisiana, believing that the time has arrived when our present political condition should cease, and the right of self-government be asserted, in order to secure to ourselves and our posterity all the rights of life, liberty, and property, and the free pursuit of happiness, ordain the following

Constitution as the Organic Law of a free and independent State, by the name and style of the STATE OF KANSAS, bounded as follows, to wit: Beginning at a point on the western boundary of the State of Missouri, where the thirty-seventh parallel of north latitude crosses the same; thence west on said parallel to the eastern boundary of New Mexico; thence north on said boundary to latitude thirty-eight; thence following said boundary westward to the eastern boundary of the Territory of Utah, on the summit of the Rocky Mountains; thence northward on said summit to the fortieth parallel of latitude ; thence east on said parallel to the western boundary of the State of Missouri; thence south with the western boundary of said State to the place of beginning.

#### ARTICLE I.- BILL OF RIGHTS.

SECTION 1. All men are by nature equally free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and seeking and obtaining happiness and safety; and the right of all men to the control of their persons exists prior to law, and is inalienable.

SEC. 2. All political power is inherent in the people, and all free governments are founded on their authority, and are instituted for their equal protection and benefit; and they alone have the right, at all times, to alter, reform or abolish their form of government in such manner as they may think proper. No special privileges or immunities shall ever be granted by the General Assembly which may not be altered, revoked or repealed by the same authority.

SEC. 3. The people have a right to assemble, in a peaceable manner, to consult for their common good, to instruct their representatives, and to petition the General Assembly for the redress of grievances.

SEC. 4. The people have the right to bear arms for their defense and security, but standing armies in time of peace are dangerous to liberty, and shall not be kept up, and the military shall be in strict subordination to the civil power.

SEC. 5. The right of trial by jury shall be inviolate, and extend to

persons of every condition.

SEC. 6. There shall be no slavery in this State, and no involuntary servitude, unless for the punishment of crime, whereof the parties shall have been duly convicted.

SEC. 7. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience. No person shall be compelled to attend, erect, or support any place of worship, or maintain any form of worship against his consent; and no preference shall be given by law to any religious society; nor shall any interference with the right of conscience be permitted. No religious test shall be required as a qualification for office, nor shall any person be incompetent to be a witness on account of religious belief; but nothing herein contained shall be so construed as to dispense with oaths or affirmations. Religion, morality, and knowledge, however, being essential to good government, it shall be the duty of the Legislature to make suitable provisions for the protection of all religious denominations in the peaceable enjoyment of their modes of worship, and for the encouragement of schools and the means of instruction.

SEC. 8. The privilege of the writ of habeas corpus shall not be suspended unless in case of rebellion or invasion the public safety may require it.

SEC. 9. All persons shall be bailable by sufficient sureties, except for capital offenses where the proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted.

SEC. 10. Except in cases of impeachment, and cases arising in the army or navy, or in the militia, when in actual service, in time of war or public danger, and cases of petit larceny and other inferior offenses, no person shall be held to answer for a capital or otherwise infamous crime, unless upon presentment or indictment of a grand jury. In any trial, in any court, the accused shall be allowed to appear and defend in person, or by counsel; to demand the nature and cause of the accusation against him; to meet the witnesses face to face, and to have compulsory process to procure the attendance of witnesses in his behalf, and a

speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed; nor shall any person be compelled in a criminal case to be a witness against himself, or be twice put in jeopardy for the same offense.

SEC. 11. Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of such right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all prosecutions for libel, the truth of the charge may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the accused shall be acquitted.

SEC. 12. No person shall be transported out of the State for any offense committed within the same, and no conviction in this State shall work a corruption of blood or forfeiture of estate.

SEC. 13. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, except in a manner prescribed by law.

SEC. 14. The right of the people to be secure in their persons, houses, papers, and possessions, against unreasonable searches and seizures, shall be inviolate; and no warrant shall issue but upon probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the persons and things to be seized.

SEC. 15. No person shall be imprisoned for debt in any civil action, or mesne or final process, except in cases of fraud.

SEC. 16. All courts shall be open; and every person for an injury done him or his land, goods, person or reputation, shall have remedy by due course of law, and justice administered without denial or delay.

SEC. 17. No hereditary emoluments, honors or privileges shall ever be granted or conferred by this State.

SEC. 18. No power of suspending laws shall be exercised, except by

the General Assembly.

SEC. 19. Private property shall ever be held inviolate, but subservient to the public welfare. When taken in time of war, or other public exigencies imperatively requiring its immediate seizure, or for the purpose of making or repairing roads, which shall be open to the public without charge, a just compensation shall be made to the owners in money; and in all other cases where private property shall be taken for public uses, a compensation therefor shall first be made in money, or first secured by depositing money, and such compensation shall be estimated by a jury, without deduction for benefits to any property of the owner.

SEC. 20. The payment of a tax shall not be a qualification for exercising the right of suffrage.

SEC. 21. This enumeration of rights shall not be construed to impair or deny others retained by the people; and all powers not herein delegated, remain with the people.

SEC. 22. No indenture of any persons made and executed out of the bounds of the State, shall be valid within the State.

## ARTICLE II.-ELECTIVE FRANCHISE.

SECTION 1. In all elections not otherwise provided for by this Constitution, every male citizen of the United States, of the age of twenty-one years or upwards, who shall have resided in the State six months next preceding such election, and ten days in the precinct in which he may offer to vote, and every male person of foreign birth, of the age of twenty-one years or upward, who shall have resided in the United States one year, in this State six months, and in the precinct in which he may offer to vote, ten days next preceding such election, and who shall have declared his intention to become a citizen of the United States, conformably to the laws of the United States, ten days preceding such election, shall be deemed a qualified elector.

SEC. 2. No soldier, seaman, or marine, in the army or navy of the United States, or of their allies, shall be deemed to have acquired a

residence in this State in consequence of being stationed within the same; nor shall any such soldier, seaman, or marine, have the right to vote.

SEC. 3. No person shall be deemed to have lost his residence in this State by reason of his absence, either on business of this State or of the United States.

SEC. 4. Every person shall be disqualified from holding office during the term for which he may have been elected, who shall have given or offered a bribe or reward to procure his election.

SEC. 5. Every person who shall give or accept a challenge to fight a duel, or who shall knowingly carry to another person such challenge, or who shall agree to go out of this State to fight a duel, shall be ineligible to any office of trust or profit in this State.

SEC. 6. The General Assembly shall have power to deprive of the right of suffrage, and to render ineligible to office, any person convicted of an infamous crime.

SEC. 7. No person holding a lucrative office or appointment under the Constitution or laws of the United States, or of this State, shall be eligible to a seat in the General Assembly, nor shall any person hold more than one lucrative office at the same time, except as in this Constitution expressly permitted: Provided, That offices in the militia to which there is attached no annual salary, where the compensation does not exceed ninety dollars per annum, shall not be deemed lucrative.

SEC. 8. No person who may hereafter be collector or holder of public moneys shall be eligible to any office of trust or profit in the State, until he shall have accounted for and paid into the proper treasury all sums for which he may be accountable.

SEC. 9. Any person who shall commit a fraud tending to affect the result of any election in this State, shall, on conviction thereof, be forever ineligible as an elector.

ARTICLE III.-DISTRIBUTION OF POWERS.

SECTION 1. The powers of the Government shall be divided into three separate departments-the Legislative, the Executive (including the Administrative), and the Judicial; and no person charged with official duties under one of these departments shall exercise any of the functions of another, except as in this Constitution expressly provided.

#### ARTICLE IV.-LEGISLATIVE.

SECTION 1. The legislative power of the State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

SEC. 2. The Senators and Representatives shall be chosen annually by the qualified electors of the respective counties or districts for which they are chosen, on the Tuesday next after the first Monday in November. Their terms of office shall be one year, and shall commence on the first day of January next after their election.

SEC. 3. There shall be elected at the first election twenty-five Senators and seventy-five Representatives, and the number afterward shall be regulated by law; and the General Assembly shall, in all apportionments for members of the Legislature, establish single Representative and single Senatorial Districts.

SEC. 4. No person shall be eligible to the office of Senator or Representative who shall not at the time of his election possess the qualifications of an elector.

SEC. 5. Each house, except as otherwise provided in this Constitution, shall choose its own officers, determine its own rules of proceeding, punish its members for disorderly conduct, and, with the concurrence of two-thirds of all the members elected to the house, expel a member, but not a second time for the same cause; and shall judge of the qualification, election and return of its own members, and have all other powers necessary to secure its safety, and the undisturbed transaction of its business.

SEC. 6. Each house shall keep a journal of its proceedings, which shall



be published. The yeas and nays on any question shall, at the request of two members, be taken, and entered on the journal.

SEC. 7. Any member of either house shall have the right to protest against any act or resolution thereof; and such protest and reason therefor, shall, without alteration, commitment, or delay, be entered on the journal.

SEC. 8. All vacancies which may occur in either house shall, for the unexpired term, be filled by election as shall be prescribed by law.

SEC. 9. Senators and Representatives shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during the session of the General Assembly, and in going to and returning from the same ; and for words spoken in debate they shall not be questioned in any other place.

SEC. 10. A majority of all the members elected to each house, voting in the affirmative, shall be necessary to pass a bill or joint resolution, and all bills and joint resolutions so passed shall be signed by the presiding officers of the respective houses, and presented to the Governor for his approval.

SEC. 11. The doors of each house, and of committees of the whole, shall be kept open. Neither house shall, without the consent of the other, adjourn for more than two days, nor to any other place than that in which the two houses shall be sitting, except for personal safety.

SEC. 12. Every bill shall be read by sections in each house on three several days, except in case of emergency. Two-thirds of the house where such bill is pending may, if deemed expedient, suspend the rules on a call of the yeas and nays; but the reading of a bill by sections on its final passage shall in no case be dispensed with; and the vote on the final passage of every bill and joint resolution shall be taken by yeas and nays> and entered on the journal.

SEC. 13. Every act shall contain but one subject, which shall be clearly expressed in its title. Bills may originate in either house, but may be altered, amended or rejected by the other.

SEC. 14. In all cases where a general law can be made applicable, special laws shall not be enacted.

SEC. 15. No act shall ever be revived or amended by mere reference to its title, but the act revived or the section amended shall be set forth as amended or revived at full length.

SEC. 16. No general act shall take effect until the same shall have been published and circulated in the counties of the State by authority, except in case of emergency, which emergency shall be declared in the preamble or the body of the law.

SEC. 17. The election and appointment of all officers, and the filling of all vacancies not otherwise provided for by this Constitution, or the Constitution of the United States, shall be made in such manner as shall be prescribed by law; but no appointing power shall be exercised by the General Assembly, except as provided in this Constitution and in the election of the United States Senators, and in these cases the vote shall be taken viva voce.

SEC. 18. The General Assembly shall not have power to enact special laws annulling the contract of marriage.

SEC. 19. The General Assembly shall not have power to pass retroactive laws, or laws impairing the obligation of contracts, but may by general laws authorize the courts to carry into effect, upon such terms as shall be just and equitable, the manifest intention of parties and officers, by curing omissions, defects and errors in instruments and proceedings arising out of a want of conformity with the laws of this State.

SEC. 20. The style of the laws of this State shall be, "Be it enacted by the General Assembly of the State of Kansas"

SEC. 21. The House of Representatives shall have the sole power of impeachment. All impeachments shall be tried by the Senate, and, when sitting for this purpose, the Senators shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of all the Senators

present.

SEC. 22. The Governor, and all other civil officers under the laws of this State, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend further than to removal from office, and disqualification to hold any office of honor, trust, or profit under the laws and Constitution of this State. The party, whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment and punishment according to law.

SEC. 23. Within one year after the ratification of this Constitution, and within every two years subsequently, for the term of ten years, an enumeration of all the inhabitants of this State shall be made in such manner as shall be directed by law.

SEC. 24. All regular sessions of the General Assembly shall be held at the Capital of the State, and shall commence on the first Monday of January, annually.

SEC. 25. All bills for raising revenue shall originate in the House of Representatives.

SEC. 26. The members of the General Assembly shall receive for their services the sum of four dollars per day for each and every day they are actually in attendance at any regular or special session, and four dollars for every twenty miles they shall travel in going to and returning from the place of meeting, by the usually traveled route; and no regular session of the General Assembly, except the first under this Constitution, shall extend beyond the term of sixty days, nor any special session more than forty days.

SEC. 27. Every bill or resolution shall, before its final passage, be printed for the use of the General Assembly.

## ARTICLE V.-EXECUTIVE.

SECTION 1. The Executive Department shall consist of a Governor, a Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, and Attorney General who shall be chosen by the electors of the

State at the same time and place of voting as for members of the General Assembly.

SEC. 2. The term of office of the Governor, Lieutenant Governor, Treasurer, Auditor, Secretary of State, and Attorney General, shall commence on the first day of January next after their election, and shall continue for two years and until their successors are elected and qualified. No person shall be eligible for the above offices more than two out of three consecutive terms.

SEC. 3. The returns of every election for the officers named in the preceding section shall be sealed up and transmitted to the seat of government by the returning officers, directed to the Secretary of State, who shall lay the same before the General Assembly at their first meeting thereafter, when they shall open and canvass them, and publish and declare the result thereof in the presence of a majority of the members of both houses. The persons having the highest number of votes shall be declared duly elected, and the certificate thereof given to such persons, signed by the presiding officers of both houses; but if any two or more shall have the highest and equal number of votes for the same office, one of them shall be chosen by a vote of the two houses of the General Assembly in joint session.

SEC. 4. The executive power shall be vested in a Governor.

SEC. 5. He may require information in writing from the officers in the Executive Department upon any subject relating to the duties of their respective offices, and shall see that the laws are faithfully executed.

SEC. 6. He shall communicate at every session by message to the General Assembly the condition of the affairs of the State, and recommend such measures as he shall deem expedient for their action.

SEC. 7. He may on extraordinary occasions convene the General Assembly by proclamation, and shall state in such proclamation the purpose for which they are convened; and the General Assembly shall enter upon no legislative business except that for which they were especially called together.

SEC. 8. In case of disagreement between the two houses in respect to the time of adjournment, he shall have power to adjourn the General Assembly to such time as he may think proper, but not beyond the regular meetings thereof.

SEC. 9. He shall be Commander-in-Chief of the Military in the State, except when they shall be called into the service of the United States.

SEC. 10. The pardoning power shall be vested in the Governor, under such regulations and restrictions as may be prescribed by law.

SEC. 11. There shall be a seal of the State, the device for which shall be agreed upon by the General Assembly, and which shall be kept by the Governor, and used by him officially, and shall be called "The Seal of the State of Kansas."

SEC. 12. All grants and commissions shall be issued in the name and by the authority of the State of Kansas, sealed with the seal thereof, signed by the Governor, and countersigned by the Secretary of State.

SEC. 13. No member of either house of Congress, or other persons holding office under the authority of this State, or of the United States, shall execute the duties of Governor, except as herein provided.

SEC. 14. In the case of death, impeachment, resignation, removal, or other disability of the Governor, the Lieutenant Governor shall exercise the duties of the office of Governor, until another Governor shall be duly qualified, or the disability be removed; but in such case another Governor shall be chosen at the next annual election for members of the General Assembly, unless such death, resignation, impeachment, removal or other disability shall occur within three calendar months immediately preceding such next annual election, in which case a Governor shall be chosen at the second succeeding annual election for members of the General Assembly; and in case of the death, impeachment, resignation, removal or other disability of the Lieutenant Governor, the President of the Senate pro tempore shall exercise the office of Governor until another Governor shall be duly qualified as aforesaid.

SEC. 15. The Lieutenant Governor shall be President of the Senate, but shall vote only when the Senate is equally divided, and shall be entitled to the same pay as the Speaker of the House of Representatives; and in case of his death, resignation, impeachment, removal from office, or when he shall exercise the office of Governor, the Senate shall choose a President pro tempore.

SEC. 16. Should the office of Secretary of State, Auditor of State, Treasurer of State, or Attorney General, become vacant, for any of the causes specified in the fourteenth and fifteenth sections, the Governor shall fill the vacancy or vacancies until the disability is removed or a successor is elected and qualified. Every such vacancy shall be filled by election, at the first general election that occurs more than thirty days after such vacancy shall have occurred, and the person chosen shall hold the office for the full term fixed in the second section of this article.

SEC. 17. The officers mentioned in this article shall, at stated times, receive for their services compensation to be fixed by law, which shall neither be increased nor diminished during the period for which they shall have been elected.

SEC. 18. The officers of the Executive Department and of the public State institutions shall, at least ten days preceding each regular session of the General Assembly, severally report to the Governor, who shall transmit the same to the General Assembly.

SEC. 19. Every bill which shall have passed both houses shall be presented to the Governor. If he approve, he shall sign the same; but if he shall not approve, he shall return it with his objections to the house in which it shall have originated, which shall enter the objections at large upon the journal, and proceed to reconsider the bill. If after such reconsideration a majority of that house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which, likewise, it shall be reconsidered, and if approved by a majority of that house, it shall be a law; but in such case the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be entered upon the journals of each house

respectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, it shall be a law in like manner as if he had signed it, unless the General Assembly by adjournment prevent its return, in which case it shall not be a law.

## ARTICLE VI.- JUDICIAL.

SECTION 1. The judicial power of the State shall be vested in a Supreme Court, Circuit Courts, County Courts, Justices of the Peace, and in such other courts inferior to the Supreme Court as may be established in the manner hereinafter provided.

SEC. 2. The Supreme Court shall consist of three Judges, a majority of whom shall form a quorum. It shall hold at least one term each year, at the seat of Government, and such other terms, there or elsewhere, as may be required by law.

SEC. 3. The Judges of the Supreme Court shall be elected by the electors of the State at large, at the first election under this Constitution. The term of one of said Judges shall be two years, of another four years, of another six years, and at all subsequent elections the term of each of said Judges shall be six years.

SEC. 4. The Judge having the shortest term to serve, not holding by appointment, shall be Chief Justice.

SEC. 5. The General Assembly shall provide by law for the speedy publication of the decisions of the Supreme Court.

SEC. 6. There shall be elected by the voters of the State, a Clerk, and a Reporter, for the Supreme Court, who shall hold their offices for three years.

SEC. 7. The Circuit Courts shall consist of one Judge. The State shall be divided into judicial circuits, and a Judge for each circuit shall be elected by the voters thereof. He shall, while in office, reside in the circuit for which he is chosen, and his term of office shall be three years.

SEC. 8. Until otherwise provided by law, there shall be five judicial circuits, as follows: The First, comprising the counties of Leavenworth, Jefferson, Atchison, Doniphan, and Brown; the Second, the counties of Calhoun, Nemaha, Pottawatomie, Marshall, Riley, Washington, and Clay; the Third, the counties of Shawnee, Douglas, Johnson, Lykins, Franklin, and Weller; the Fourth, the counties of Linn, Bourbon, Coffey, Anderson, Allen, Woodson, Wilson, Dorn, and McGee; the Fifth, the counties of Richardson, Breckinridge, Madison, Greenwood, Godfrey, Hunter, Butler, Wise, Davis, and Dickinson.

SEC. 9. The General Assembly may provide by law that the Judge of one circuit may hold the courts of another circuit in case of necessity or convenience.

SEC. 10. The County Courts shall each consist of one Judge, who shall be elected by the voters of each county. He shall reside in the county; and his term of office shall be two years.

SEC. 11. A sufficient number of Justices of the Peace shall be elected by the voters in each township of the several counties. Their term of office shall be two years.

SEC. 12. All Judges, other than those hereinbefore provided for, shall be elected by the electors of the judicial district over which their jurisdiction may extend, but not for a term of office longer than six years.

SEC. 13. The jurisdiction of the Supreme Court, the Circuit Courts, the County Courts, the Justices of the Peace, and such other courts as may be created, shall be fixed by law; and the Judges of the courts shall respectively have and exercise such power and jurisdiction at chambers as may be provided by law.

SEC. 14. Judges may be removed from office by concurrent resolution of both houses of the General Assembly, if two-thirds of the members elected to each house concur therein; but no such removal shall be made except upon complaint, the substance of which shall be entered upon the journal, nor until the party charged shall have notice thereof, and an



opportunity to be heard.

SEC. 15. In case the office of any Judge shall become vacant before the expiration of the term for which he was elected, the vacancy shall be filled by appointment by the Governor, until a successor shall be elected and qualified; and such successor shall be elected for the residue of the unexpired term, at the first annual election that occurs more than thirty days after such vacancy shall have happened.

SEC. 16. The compensation of the Judges of the Supreme Court and of the Circuit Courts shall not be increased or diminished during their term of office, and they shall receive no fees or perquisites, nor hold any office of profit and trust under the State, other than a judicial office.

SEC. 17. The General Assembly may at any time increase the number of the Judges of the Supreme Court, may increase or diminish the number of judicial circuits, or change the circuits, or may establish other courts by a law passed by two-thirds of the members elected to each house; but no such change, addition or diminution shall vacate the office of any Judge.

SEC. 18. There shall be elected in each county, by the electors thereof, one Clerk of the Courts, who shall hold his office for the term of two years, and until his successor shall be elected and qualified. He shall be Clerk of the County Court and Circuit Court in the county in which he is chosen.

SEC. 19. There shall be elected in each county, by the voters thereof, one County Attorney, who shall hold his office for the term of two years, and until his successor shall be elected and qualified.

SEC. 20. The duties, compensation, fees and perquisites of the officers provided for in this article shall be fixed by law.

SEC. 21. The style of all process shall be, " The State of Kansas." All prosecutions shall be carried on in the name and by the authority of the State of Kansas ; and all indictments shall conclude, " against the peace and dignity of the State of Kansas."

## ARTICLE VII- EDUCATION.

SECTION 1. The stability and perpetuity of free republican institutions depend upon the intelligence and virtue of the people; therefore it is declared to be the duty of the State to establish by law, at the earliest possible period, a uniform system of free schools, in which every child in the State shall be entitled to receive a good common-school education at the public expense.

SEC. 2. The principal of all school funds, from whatever source, shall be the common property of the State, and may be increased, but shall forever be preserved inviolate and undiminished.

SEC. 3. The income of the school fund shall be devoted exclusively to the support of schools, and, together with any funds raised in any other manner for school purposes, shall be distributed, through the county or township treasurers, to the several school districts, in some equitable proportion to the number of children and youth resident therein, between the ages of five and twenty-one years.

SEC. 4. The school lands shall never be sold until such sale is authorized by a free and fair vote of the people of Kansas, but, subject to a valuation every three years, may be leased at a per centum established by law.

SEC. 5. No religious sect or sects shall ever have any right to, or control of, any part of the school funds of this State.

SEC. 6. The General Assembly shall make such provision, by taxation or otherwise, as, with the income arising from the school fund, will secure, throughout the State, the maintenance of a thorough and uniform system of common schools, which shall be kept up and supported in each district at least four months in each year, and shall be open and free to every child in the State between the ages of five and twenty-one years>

SEC. 7. As the means of the State will admit, educational institutions of a higher grade shall be established by law so as to form a complete system of public instruction, embracing the primary, normal,

preparatory, collegiate and university departments.

SEC. 8. At the first election of State officers, and biennially thereafter, the people shall elect a Superintendent of Public Instruction, whose duties and compensation shall be prescribed by law.

SEC. 9. At the first election of State officers, and biennially thereafter, there shall be elected by the people a Commissioner of School Funds, who shall have the charge of the school lands and the principal of the school fund, whose duties and compensation shall be prescribed by law.

#### ARTICLE VIII.-PUBLIC INSTITUTIONS.

SECTION 1. It shall be the duty of the General Assembly, at as early a date as possible, to provide State Asylums for the benefit, treatment and instruction of the blind, deaf and dumb, and insane.

SEC. 2. The General Assembly shall make provision for the establishment of an asylum for idiots, to be regulated by law.

SEC. 3. The General Assembly shall make provision for the establishment of houses of refuge for the correction, reform and instruction of juvenile offenders.

SEC. 4. It shall be the duty of the General Assembly to make provision as soon as possible for a State Hospital and State Penitentiary: Provided, That not more than one of the aforesaid institutions shall be located in any county of this State, the location to be determined by a vote of the electors at large at any general election, and that the directors and superintendents of the same shall be elected by the people.

SEC. 5. The respective counties of the State shall provide in some suitable manner for those inhabitants who, by reason of age, infirmity, or other misfortune, may have claims upon the sympathy and aid of society, under provisions to be made by the laws of the General Assembly.

#### ARTICLE IX.-MILITIA.

SECTION 1. The Governor shall be Commander-in-Chief of the military forces of the State, excepting when these forces shall be actually in the service of the United States, and shall have power to call out any part, or the whole, of said military forces to aid in the execution of the laws, to suppress insurrection, and to repel invasion.

SEC. 2. All male citizens of this State, between the ages of eighteen and forty-five years, excepting those who are conscientiously opposed to bearing arms, and such others as may be by law exempted, shall be enrolled in the militia, and held to perform such military duty as by law may be required.

SEC. 3. The General Assembly shall provide by law for organizing and disciplining the militia in such manner as it shall deem expedient.

#### ARTICLE X.-PUBLIC DEBT.

SECTION 1. No money shall be paid out of the Treasury, except in pursuance of an appropriation by law.

SEC. 2. The credit of the State shall never be given or loaned in aid of any individual, association, or corporation.

SEC. 3. For the purpose of defraying extraordinary expenditures, the State may contract public debts, but such debt shall never in the aggregate exceed one hundred thousand dollars, unless authorized by a direct vote of the people at a general election. Every such debt shall be authorized by law, and every such law shall provide for the payment of the annual interest of such debt, and the principal within ten years from the passage of such law; and such appropriation shall not be repealed until the principal and interest shall have been wholly paid.

SEC. 4. The Legislature may also borrow money to repel invasion, suppress insurrection, or defend the State in time of war; but the money thus raised shall be applied exclusively to the object for which the loan was authorized, or repayment of the debts thereby created.

SEC. 5. No scrip, certificate, or other evidence of State debt

whatever, shall be issued, except for such debts as are authorized by the third and fourth sections of this article.

## ARTICLE XI-FINANCE AND TAXATION.

SECTION 1. The levying of taxes by the poll is grievous and oppressive; therefore, the General Assembly shall never levy a poll tax for county or State purposes.

SEC. 2. Laws shall be passed taxing, by a uniform rule, all real and personal property, according to its true value in money; but burying-grounds, school houses, and other property used exclusively for educational purposes, houses used exclusively for public worship, not exceeding fifty thousand dollars in value, institutions of public charity, public and municipal property used exclusively for public and municipal purposes, and personal property to an amount not exceeding in value two hundred dollars for each head of a family, may by general laws be exempted from taxation, but all such laws shall be subject to alteration or repeal; and the value of all such property, so exempted, shall from time to time be ascertained and published, as may be directed by law.

SEC. 3. The General Assembly shall provide for raising revenue sufficient to defray the expenses of the State for each year; and also a sufficient sum to pay the interest and such part of the principal of a State debt, if any such debt shall accrue, as may be directed by law.

SEC. 4. No tax shall be levied except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

SEC. 5. The State shall never contract any debt for purposes of internal improvements.

SEC. 6. In the passage in either house of the General Assembly of any law which imposes, continues, or renews a tax, or makes, continues, or renews an appropriation of public or trust moneys, or to release, discharge, or commute a claim or demand of the State, the vote shall be taken by yeas and nays, which shall be duly entered on the journal; and

three-fifths of all the members elected to such house shall, in all such cases, be requisite to constitute a quorum.

## ARTICLE XII.-COUNTIES, AND COUNTY AND TOWNSHIP OFFICERS.

SECTION 1. The General Assembly shall provide by law for submitting to the people of each county, at an annual election, the question of the location of the county seats ; and the General Assembly may change the lines of counties, but shall by law submit such proposed alterations to the electors of the county or counties affected thereby, at a general election; said alterations to be made to township lines, as far as practicable.

SEC. 2. The General Assembly shall provide by law for the creation and election of county, city, town and township officers.

SEC. 3. All officers whose election or appointment is not provided for by this Constitution, shall be elected by the people or appointed, as the General Assembly may by law direct.

SEC. 4. Provision shall be made by law for the removal, for misconduct or malversation in office, of all officers whose powers and duties are not local or legislative, and who shall be elected at general elections, and also for supplying vacancies created by such removal.

SEC. 5. The Legislature may declare the cases in which any office shall be deemed vacant, where no provision is made for that purpose in this Constitution.

## ARTICLE XIII.- ELECTIONS.

SECTION I. All elections shall be free and equal.

SEC. 2. Electors shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance on elections, and in going to and returning from them.

SEC. 3. All elections by the people shall be by ballot, and all elections by the General Assembly, or by either branch thereof, shall be viva voce.

SEC. 4. All general elections shall be held on the Tuesday next succeeding the first Monday in November of each year.

SEC. 5. Returns of elections for Members of Congress, the General Assembly, and all other officers not otherwise provided for, shall be made to the Secretary of State, in such manner as may be prescribed by law.

#### ARTICLE XIV.- CORPORATIONS.

SECTION 1. Corporations may be created under general law, but shall not be created by special acts, except for municipal purposes. All general laws and special acts authorizing or creating corporations may be altered from time to time, or repealed.

SEC. 2. Dues from corporations shall be secured by such individual liability of the stockholders and other means as shall be prescribed by law, and each stockholder of a corporation or joint-stock association, except corporations for charitable purposes and railroad corporations, shall be individually liable over and above the stock by him or her owned, and any amount unpaid thereon to a further sum at least equal in amount to such stock.

SEC. 3. The property of corporations, except for charitable and religious purposes, now existing, and to be hereafter created, shall be subject to taxation the same as the property of individuals.

SEC. 4. All real estate or other property of religious corporations shall vest in trustees, whose election shall be by the members of such corporation

SEC. 5. The General Assembly shall provide for the organization of cities and villages by general laws, and restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent the abuse of such power.

SEC. 6. The term corporations as used in this article shall be construed to include all associations and joint-stock companies having any of the

powers or privileges of corporations not possessed by individuals or partnerships; and all such corporations shall have the right to sue, and shall be subject to be sued, in all courts, the same as natural persons.

#### ARTICLE XV.- JURISPRUDENCE.

SECTION 1. The General Assembly, at its first session under this Constitution, shall constitute a commission, to consist of three persons, not members of the Senate or House of Representatives, whose duty it shall be to revise, reform, simplify, and abridge the rules of practice, pleading, and proceeding in the courts of record of this State, abolishing the forms of action known to the common law, and distinctions as to form between proceedings at law and in equity.

SEC. 2. The proceedings of the Commissioners shall be reported to and be subject to the action of the General Assembly.

SEC. 3. All the proceedings of the courts of this State shall be instituted and conducted in the English language, avoiding, as far as practicable, the use of technical terms.

#### ARTICLE XVI.-MISCELLANEOUS.

SECTION 1. No person shall be taken, imprisoned, or disseized of his freehold, outlawed, exiled, or in any manner deprived of his life, liberty or property, but by the judgment of his peers and the law of the land.

SEC. 2. The printing of the laws and journals, bills, legislative documents and papers for each branch of the General Assembly, and all printing for the Executive and other departments of State, shall be let to the lowest responsible bidder, by such officers and in such manner as shall be prescribed by law.

SEC. 3. The General Assembly shall provide by law for the protection of the rights of women, married and single, in the acquiring and possessing of property, real, personal, and mixed, separate and apart from the husband or other person, and shall also provide for the equal rights of women in the protection, with the husband, of their children, during



their minority; also shall provide for the securing of a homestead, which, without the consent of

the wife, she cannot be divested of.

SEC. 4. No person shall be elected or appointed to any office in this State unless he possesses the qualifications of an elector at the time Of his election or appointment.

SEC. 5. There shall be established in the Secretary of State's office a Bureau of Statistics and Agriculture, under such regulations as may be prescribed by law; and provision shall be made by the General Assembly for the organization and encouragement of State and County Agricultural Associations.

SEC. 6. Lotteries, gift enterprises, and the sale of lottery and gift-enterprise tickets, for any purpose whatever, shall be forever prohibited in the State.

SEC. 7. A homestead of one hundred and sixty acres of land, or, in lieu thereof, a house and lot, or other property not exceeding in value two thousand dollars, belonging to any one family, shall by law be exempted from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife, in cases where that relation exists; but no property shall be exempt from sale for taxes or for the payment of obligations contracted for its purchase.

SEC. 8. This State shall have jurisdiction concurrent with the State of Missouri, on the Missouri river, so far as the said river may be the common boundary of the two States.

SEC. 9. For the purpose of preserving the public health, the General Assembly shall have power to pass general sanitary laws.

SEC. 10. No lease or grant of agricultural land for a longer period than twelve years, hereafter to be made, in which shall be reserved any rent or service of any kind, shall be valid; and all fines, quarter-sales, or other like restraints upon transfer, reserved in any lease of land, hereafter to be made, shall be void; provided that this article shall in no

wise interfere with the disposition of the school lands of the State.

SEC. 11. In all cases where it shall be necessary to sell any of the lands granted by Congress, said sales shall not be made without one year's notice through publication in the county or counties where the lands lie, and an advertisement in two or more central newspapers of the State; and there shall be a valuation of said lands by disinterested persons, and no lands shall be sold at a less price than the valuation.

## ARTICLE XVII.-BANKS AND CURRENCY<sup>1</sup>.

SECTION 1. No bank shall be established otherwise than under a general banking law.

SEC. 2. If the General Assembly shall enact a general banking law, such law shall provide for the registry and countersigning by the Auditor of State of all bank notes or paper credit designed to be circulated as money.

SEC. 3. It shall be further provided that such bank notes or paper credits shall be amply secured, by the deposit with the proper officer of State, of bonds of interest-paying States or the United States.

SEC. 4. All bills or notes issued as money shall be at all times redeemable in gold or silver.

SEC. 5. Holders of bank notes shall be entitled, in case of insolvency, to preference of specie payment, over all other creditors.

SEC. 6. The State shall not be a stockholder in any bank or banking institution.

SEC. 7. All banks shall be required to keep officers and proper offices for the issue and redemption of their paper, at some convenient point within the

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<sup>1</sup> The following pages are missing from the original held by the Kansas Historical Society.

State.

SEC. 8. Any general banking law passed by the General Assembly of this State

may at any time be altered, amended, or repealed.

SEC. 9. No general banking law shall have any force or effect until the same shall have been submitted to a vote of the electors of the State, at some general election, and having been approved by a majority of all the votes given on that subject at such election.

#### ARTICLE XVIII.-AMENDMENTS.

SECTION 1. Propositions for the amendment of this Constitution may be made by either branch of the General Assembly; and if three-fifths of all the members elected to each house concur therein, such proposed amendments shall be entered on the journals, with the yeas and nays; and the Secretary of State shall cause the same to be published in at least one newspaper in each county of the State where a newspaper is published, for three months preceding the next election for Senators and Representatives, at which time the same shall be submitted to the electors for their approval or rejection; and if a majority of the electors voting on said amendments, at said election, shall adopt such amendments, the same shall become a part of the Constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately.

SEC. 2. Whenever three-fifths of the members elected to each branch of the General Assembly shall think it necessary to call a Convention to revise, amend or change this Constitution, they shall recommend to the electors to vote at the next election of members of the General Assembly for or against a Convention; and if a majority of all the electors voting at said election shall have voted for a Convention, the General Assembly shall, at its next regular session, provide by law for calling the same. The Convention shall consist of as many members as the House of Representatives, and shall be chosen in the same manner, and shall meet within three months after their election, at the Capital of the State,

for the purpose aforesaid.

SEC. 3. At the general election to be held in the year one thousand eight hundred and sixty-three, and in each tenth year thereafter, the question, "Shall there be a Convention to revise, alter or amend the Constitution?" shall be submitted to the electors of the State; and in case a majority of the electors voting at such election shall decide in favor of a Convention, the General Assembly, at its next regular session, shall provide by law for the election of delegates, and the assembling of such Convention, as provided in the preceding section ; but no amendment or revision of this Constitution agreed upon by any Convention in pursuance of this article, shall take effect until the same shall have been submitted to the electors of the State, and adopted by a majority of those voting thereon.

#### SCHEDULE.

SECTION 1. In order that no inconvenience may arise from the change from a Territorial to a State Government, it is declared that no existing rights, suits, prosecutions (except for political offenses;, claims, or contracts, shall be affected by a change in the form of government, except as otherwise declared in this Constitution. But no debt of the Territory shall be assumed by the State, except by a law passed by a vote of two-thirds of each branch of the General Assembly.

SEC. 2. This Constitution shall be submitted to a vote of the people for approval or rejection, on the third Tuesday of May, one thousand eight hundred and fifty-eight. The vote shall be by ballot, and those in favor of the Constitution shall write or print upon their ballots the words, " For the Constitution;" and those opposed to the Constitution shall write or print upon their ballots the words, "Against the Constitution." Said election shall be conducted according to the provisions of section thirteen of an Act of the Legislative Assembly of the Territory of Kansas, passed February -, one thousand eight hundred and fifty-eight, entitled "An act to provide for the election of Delegates to a Convention to frame a State Constitution."

SEC. 3. At the same time and place, and under the provisions of the section aforesaid, of the Act aforesaid, an election shall be held for

members of the General Assembly, for State officers, for Judges, and for Member of Congress to represent the State of Kansas in the Thirty-fifth Congress of the United States.

SEC. 4. If this Constitution, upon being submitted to the people, shall be approved by a majority of the legal votes cast thereon, a copy of the same, certified by the President and Secretary of the Convention, together with a Memorial framed by the Convention, asking admission into the Union, and a certified statement of the vote on the ratification thereof, shall be transmitted, as soon as practicable, by the Governor, President of the Council, and Speaker of the House of Representatives, of the Territory of Kansas, or any two of them, to the President and Congress of the United States.

SEC. 5. Provided this Constitution shall be ratified by the people, then, upon the admission of Kansas into the Union as a State, this Constitution shall be in full force; the State officers shall immediately enter upon the performance of their duties, and the Governor shall immediately, by proclamation, convene the General Assembly.

SEC. 6. The members of the first General Assembly shall hold their offices until and including December thirty-first, one thousand eight hundred and fifty-nine.

SEC. 7. The State officers and Supreme and District Judges elected under this Constitution shall hold their respective offices for the same length of time as though their term of office commenced on January first, one thousand eight hundred and fifty-nine.

SEC. 8. The Governor is authorized to adopt a seal, to be the seal of the State of Kansas, until otherwise provided for by law.

SEC. 9. Until otherwise provided by law, the State shall be divided into Senatorial districts, and Senators apportioned to them as follows: The First District shall consist of Leavenworth county, and shall be entitled to three Senators; the Second District shall consist of Atchison county, and shall be entitled to one Senator; the Third District shall consist of Doniphan county, and shall be entitled to two Senators; the Fourth District shall consist of Jefferson county, and be entitled to one

Senator; the Fifth District shall consist of the counties of Brown and Calhoun, and shall be entitled to one Senator; the Sixth District shall consist of the counties of Nemaha, Marshall, and Washington, and shall be entitled to one Senator; the Seventh District shall consist of the counties of Pottawatomie and Richardson, and shall be entitled to one Senator; the Eighth District shall consist of the counties of Riley, Clay, Dickinson, Arapahoe, and all the western part of Kansas, not otherwise attached, and shall be entitled to one Senator; the Ninth District shall consist of the counties of Breckinridge, Wise, and Davis, and shall be entitled to one Senator; the Tenth District shall consist of the counties of Shawnee and Weller, and shall be entitled to two Senators; the Eleventh District shall consist of the counties of Butler, Hunter, Woodson, Greenwood, Madison, Godfrey, and Wilson, and shall be entitled to one Senator; the Twelfth District shall consist of the county of Coffey, and shall be entitled to one Senator; the Thirteenth District shall consist of the county of Douglas, and shall be entitled to two Senators; the Fourteenth District shall consist of the county of Johnson, and be entitled to one Senator; the Fifteenth District shall consist of the county of Lykins, and be entitled to one Senator; the Sixteenth District shall consist of the county of Franklin, and be entitled to one Senator; the Seventeenth District shall consist of the county of Anderson, and be entitled to one Senator; the Eighteenth District shall consist of the county of Linn, and shall be entitled to one Senator; the Nineteenth District shall consist of the county of Bourbon, and shall be entitled to one Senator; the Twentieth District shall consist of the counties of Allen, Dorn, and McGee, and shall be entitled to one Senator.

SEC. 10. The State shall be divided into Representative districts, and members apportioned thereto as follows: First District, Leavenworth county, ten members; Second, Atchison, three; Third, Doniphan, five; Fourth, Jefferson, three; Fifth, Brown, two; Sixth, Nemaha, two; Seventh, Pottawatomie, two; Eighth, Calhoun, one; Ninth, Marshall and Washington, one; Tenth, Riley, three; Eleventh, Clay and Dickinson, one; Twelfth, Davis, one; Thirteenth, Wise, one; Fourteenth, Butler and Hunter, one; Fifteenth, Richardson, one; Sixteenth, Breckinridge, two; Seventeenth, Madison, one; Eighteenth, Greenwood, one; Nineteenth, Woodson, one; Twentieth, Coffey, two; Twenty-first, Weller, one; Twenty-second, Shawnee, four; Twenty-third, Douglas, seven; Twenty-fourth, Johnson, three; Twenty-fifth, Lykins,

three; Twenty-sixth, Linn, three; Twenty-seventh, Franklin, two; Twenty-eighth, Anderson, two; Twenty-ninth, Allen, one; Thirtieth, Bourbon, three; Thirty-first, McGee, Dorn, Wilson, and Godfrey, one; District Number Thirty-two to consist of all the western part of Kansas, not otherwise attached, including the county of Arapahoe, one member.

SEC. 11. The General Assembly, at its first session, shall provide for receiving proposals for the location of the seat of Government, and shall publish such proposals, and also a plan for the purchase of a site by the State, and then submit them to a full and fair vote of the people, at the first general election after such session; and if no proposal or plan submitted shall receive a majority of all the votes cast, then they shall be submitted at each subsequent and general election until [such choice shall be made; and when a proposal or plan shall be adopted, the Legislature shall provide for the location at the place or in the manner designated, and for the application of the profits which may accrue to the State therefrom, to the benevolent institutions of the State; and when the seat of Government shall have been thus located, it shall not be changed but by a law ratified by a direct vote of the people; and until the selection provided for in this section shall be made, Topeka shall be the seat of Government.

SEC. 12. The first General Assembly shall provide by law for the submission of the question of universal suffrage to a vote of the people at the first general election of members of the General Assembly, provided that the qualifications of voters at that election shall be the same as at the vote on the submission of the Constitution.

M. F. CONWAY, President.

F. G. ADAMS. AMASA SOULE. LUCIAN FISH.

H. S. BAKER. J. M. SHEPHERD. W. W. ROSS.

G. M. FULLER. T. DWIGHT THACHER. JOHN RITCHIE.

CALEB MAY. SAM'L N. WOOD. ALFRED L. WINANS.

CALEB A. WOODWORTH. WM. V. BARR. G. D. HUMPHREY.

W. F. M. ARNY. W. D. BEELER. A. H. SHURTLEFP.

WILLIAM SPRIGGS. JOS. F. HAMPSON. R. AUSTIN.

WM. L. WEBSTER. THOS. H. BUTLER. H. J. ESPY.

WM. R. GRIFFITH. A. DANFORD. HENRY J. ADAMS.

B. B. NEWTON. ROBERT EWING. WM. H. COFFIN.

WM. MCCULLOUGH. ROBT. B. MITCHELL. JOHN C. DOUGLASS.  
P. B. PLUMB. CHAS. A. FOSTER. JAMES DAVIS.  
J. R. SWALLOW. GUSTAVUS A. COLTON. THOS. EWING, JR.  
A. B. ANDERSON. ALBURTUS KNAPP. J. P. HATTERSCHEIDT.  
ORVILLE ROOT. J. K. GOODIN. H. P. JOHNSON.  
A. W. WILLIAMS. J. G. REES. J. H. LANE.  
SAMUEL STEWART. URIAH COOK. ALFRED LARZELERE.

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WM, E. BOWKER. EDWARD LYNDE. CHAS. S. PERIAM.  
R. A. KINZIE. JAMES MONROE. HUGH ROBERTSON.  
J. M. ELLIOTT. A. W. MCCAUSLIN. JOSIAH H. PILLSBURY.  
JAMES D. ALLEN. JONATHAN C. TODD. M. L. ASHMORE.  
C. H. BRANSCOMB. R. U. TORRY. W. Y. ROBERTS.  
JOHN L. BROWN. JAMES FLETCHER. THOMAS TROWER.  
JAMES S. EMERY. HENRY HARVEY. JAMES TELFER.  
CHARLES MAYO. F. N. BLAKE. G. W. K. TWOMBLY.  
WM. R. MONTEITH. ISAAC T. GOODNOW. JAMES M. WINCHELL.  
D. PICKERING. G. W. HIGINBOTHAM. J. M. WALDEN.  
E. S. SCUDDER. R. M. FISH.  
SAMUEL F. TAPPAN, Secretary.

I hereby certify that the above is a correct copy of the  
Constitution adopted by the Convention at Leavenworth, April 3d, 1858,  
from the original draft now in my possession.

M. F. CONWAY, President of the Convention.