

HERALD OF FREEDOM.

BY G. W. BROWN & CO.

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Kansas Matters.

Constitution of the State of Kansas.

PREAMBLE.

We, the People of the Territory of Kansas, do hereby declare our independence, and do hereby constitute and elect a convention to meet at Topeka, on the 23d day of September, A. D. 1855, and of the Independence of the United States the eight-year, having the right of admission to the Union as one of the United States of America, consistent with the Constitution, and by virtue of the treaty of cession by France to the United States of the Province of Louisiana, in order to secure to ourselves and to posterity the enjoyment of all the rights of life, liberty, and property, and to pursue the happiness, do mutually agree with each other, to form ourselves into a free and independent State, 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 thirty-seventh parallel of north latitude crosses the same; thence west on parallel to the eastern boundary of Mexico; thence north on said parallel to latitude thirty-eight; thence west along said boundary westward to the boundary of the Territory of Colorado; thence northward on said boundary 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; and do hereby establish the following CONSTITUTION AND BILL OF RIGHTS for our government there:—

BILL OF RIGHTS.—ARTICLE I.

Sec. 1. All men are by nature free and independent, and have certain inalienable rights, among which are those of life, liberty, and the pursuit of happiness; and that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

Sec. 2. All political power is inherent in the people. Government is instituted by them for their equal protection and benefit; and they have the right to alter, reform, or change their government whenever they may deem it necessary; and no special privilege or immunity shall ever be granted to any class of citizens, nor shall any one be exempt from the laws of the State.

Sec. 3. The People have the right to assemble together in a peaceable manner, to consult for their common good, to petition their Representatives, and to meet the General Assembly for the purpose of grievances.

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

Sec. 5. The right of trial by jury shall be inviolate.

Sec. 6. There shall be no slavery in this State, nor involuntary servitude, except for the punishment of crime.

Sec. 7. All men have a natural and inalienable right to worship Almighty God according to the dictates of their conscience. No person shall be compelled to attend, erect, or support any place of worship, or maintain any form of worship against his consent; no preference shall be given by law to any religious society; nor shall any one be discriminated against on account of his religious beliefs; and no religious test shall be required as a qualification for office, nor shall any person be incompetent to be a witness on account of his religious beliefs; and nothing herein shall be construed to dispense with oaths and affirmations. Religion, morality and knowledge, however, being essential to good government, it shall be the duty of the General Assembly to pass suitable laws to protect every religious denomination in the peaceful enjoyment of its own property of public worship, and to encourage the same, and the means of instruction.

Sec. 8. The privilege of the writ of *habeas corpus* shall not be suspended, except in cases of rebellion or invasion when public safety requires it.

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

Sec. 10. Except in cases of impeachment, and cases arising in the army and navy, or in the militia, when in actual service, in time of war or public danger, or in cases of petit larceny and other offenses, no person shall be held to answer for a capital or otherwise infamous crime, unless on presentment or indictment of a grand jury. In any trial, the party accused shall be allowed to appear and defend in person, with counsel, to demand the nature and cause of the accusation against him, to have a copy thereof; to meet the witnesses face to face, and to have competent process to procure the attendance of witnesses in his behalf, and a public trial, by an impartial jury of the county or district in which the offense is alleged to have been committed; and shall not be compelled, in any criminal case, to be a witness against himself, or to 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 the right; and no law shall be enacted to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions or indictments for libel, the truth may be given in evidence, and it shall appear to the jury that the matter charged as libelous 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 shall work 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 not be violated; 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, unless in case of fraud.

Sec. 16. All Courts shall be open; and every person, for an injury done him in 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 ever be exercised, except by the General Assembly.

Sec. 19. The payment of a tax shall not be a qualification for exercising the right of suffrage.

Sec. 20. Private property shall ever be held inviolate, but subject in time of war, or other public exigency, imperatively requiring its immediate seizure, or for the purpose of making or repairing roads, which shall be open to the public use, without toll or other charge therefor, a compensation shall be made to the owner in money; and in all other cases, where private property shall be taken for public use, a compensation therefor shall first be made in money, or first secured by a deposit of money, and such compensation shall be assessed by a jury, without deduction for benefits to any property of the owner.

Sec. 21. No indenture of any negro, or mulatto, made and executed out of the bounds of the State, shall be valid within the State.

Sec. 22. This enumeration of rights shall not be construed to impair or deny others retained by the People; and all powers not herein delegated shall remain with the People.

Sec. 23. The Legislative power of this State shall be vested in the General Assembly, which shall consist of a Senate and House of Representatives.

Sec. 24. The Senators and Representatives shall be chosen annually by the qualified electors of the respective Counties, or District, for which they are chosen, on the first Monday of August, for one year, and their term of office shall commence on the first day of January next thereafter.

Sec. 25. There shall be elected at the first election twenty Senators and sixty Representatives, and the number afterwards shall be regulated by law.

Sec. 26. No person shall be eligible to the office of Senator, or Representative, who shall not possess the qualifications of an elector.

Sec. 27. No person holding office under the authority of the United States, or any lucrative office under the authority of this State, shall be eligible to, or have a seat in the General Assembly; but this provision shall not extend to township officers, justices of the peace, notaries public, postmasters, or officers of the militia.

Sec. 28. 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 expel a member, but not the second time for the same cause; and shall judge of the qualifications, election and return of its own members, and shall have all other powers necessary for its safety and the undisturbed transaction of business.

Sec. 29. Each House shall keep a journal of its proceedings and publish the same. The yeas and nays on any question shall, at the request of two members, be entered on the journal.

Sec. 30. Any member of either House shall have the right to protest against any act or resolution thereof; and such protest, with reason therefor, shall, with- out alteration, commitment, or delay, be entered on the journal.

Sec. 31. All vacancies which may occur in either House, shall, for the unexpired term, be filled by election as shall be prescribed by law.

Sec. 32. 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. 33. A majority of all the members elected to each House shall be necessary to pass every bill or joint resolution, and all bills and joint resolutions passed, shall be signed by the presiding officers of the respective Houses and presented to the Governor for his approval.

Sec. 34. 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. 35. Every bill shall be read by sections on three several days in each House unless in case of emergency. Two-thirds of the House where such bill is pending, may, if deemed expedient, suspend the rule 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 passage of every bill or joint resolution shall be taken by yeas and nays.

Sec. 36. 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. 37. In all cases when a general law can be made applicable, special laws shall not be enacted.

Sec. 38. 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 and published at full length.

Sec. 39. No 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 by the Governor, and the body of the law.

Sec. 40. 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 Senator, and in these cases the vote shall be taken viva voce.

Sec. 41. The General Assembly shall not have power to enact laws annulling the contract of marriage in any case where by law the Courts of this State may have power to decree a divorce.

Sec. 42. The General Assembly shall not have power to pass retro-active laws, or laws impairing the obligation of contracts, but may, by general laws, authorize 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. 43. The style of the laws of this State shall be, *Enacted by the General Assembly of the State of Kansas.*

Sec. 44. The House of Representatives shall have the sole power of impeachment. All impeachments shall be tried by the Senate, and when sitting for the 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. 45. 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, profit or trust, under this State. The party whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment and punishment according to law.

Sec. 46. Within one year after the ratification of this Constitution, and within every subsequent two years thereafter, for the term of ten years, an enumeration of all the white inhabitants of this State shall be made in such manner as shall be directed by law.

Sec. 47. All regular sessions of the General Assembly shall be held at the Capital of the State, and shall commence on the first Tuesday of January annually.

Sec. 48. All bills for raising revenue shall originate in the House of Representatives, subject, however, to amendment or rejection as in other cases.

Sec. 49. 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, but no 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. 50. The Executive Department shall consist of a Governor, a Lieutenant Governor, Secretary of State, Treasurer, Auditor, and Attorney General, who shall be chosen by the electors of the State at the same time and place of voting for the members of the General Assembly.

Sec. 51. The Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General and State Printer shall hold their office for two years. Their terms of office shall commence on the first Tuesday of January next after their election and continue until their successors are elected and qualified, neither of which officers shall be eligible for re-election more than two out of three consecutive terms; nor shall any person be eligible for the office of Governor who shall not have attained the age of thirty years.

Sec. 52. The returns of every election for the officers named in the foregoing 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, publish and declare the result thereof in the presence of a majority of the members of both houses. The person having the highest number of votes shall be declared duly elected and a certificate thereof given to such person, signed by the presiding officers of both bodies, but if any two or more shall be highest and equal in votes for the same office, one of them shall be chosen by the joint vote of both houses.

Sec. 53. The supreme executive power shall be vested in a Governor.

Sec. 54. 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. 55. 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. 56. He may on extraordinary occasions convene the General Assembly.

Sec. 57. He may by Proclamation, and shall state to both Houses when assembled the purposes for which they were convened.

Sec. 58. 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. 59. 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. 60. The pardoning power shall be vested in the Governor, under such regulations and restrictions as may be prescribed by law.

Sec. 61. There shall be a seal of the State the device of which shall be fixed upon the Governor and other State officers, be kept by the Governor and used by him officially, and shall be called

Sec. 62. 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, impeachment, resignation, removal from office, or when he shall exercise the office of Governor, the Senate shall choose a President pro tem.

Sec. 63. Should the office of Secretary, Treasurer, Auditor, 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. 64. 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 or diminished during the period for which they shall have been elected.

Sec. 65. 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. 66. 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, who shall enter the objections at large upon the Journal and proceed to reconsider the same. If after such reconsideration two-thirds 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 two-thirds 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 five days (Sunday 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 their adjournment prevented its return, in which case it shall also be a law, unless sent back within two days after the next meeting.

Sec. 67. Contested elections for Governor, Lieutenant Governor, Judges of the Supreme Court, and all other State officers shall be determined by the General Assembly, in such manner as may be prescribed by law.

Sec. 68. The General Assembly shall have power to provide by law for the election of a Surveyor General, State Geologist and Superintendent of Common Schools, whose duties shall be prescribed by law.

Sec. 69. The Judicial power of the State shall be vested in a Supreme Court, Courts of Common Pleas, Justices of the Peace, and in such other Courts inferior to the Supreme Court as the General Assembly may establish.

Sec. 70. The Supreme Court shall consist of three Judges, a majority of whom shall form a quorum. It shall have such original and appellate jurisdiction as may be provided by law. It shall hold at least one term each year at the seat of government, and such other terms as may be provided by law. The Judges of the Supreme Court shall be elected by the electors of the State at large.

Sec. 71. The State shall be divided by the first General Assembly under this Constitution into three Common Pleas districts of compact territory, bounded by county lines, and as nearly equal in population as practicable; and a Judge for each district shall be chosen by the electors thereof, and their term of office shall be for three years.

Sec. 72. The Courts of Common Pleas shall consist of one Judge each, who shall reside within the district for which he is chosen during his continuance in office.

Sec. 73. The jurisdiction of the Court of Common Pleas, and of the Judges thereof, shall be fixed by law.

Sec. 74. A competent number of Justices of the Peace shall be elected by the electors in each township of several counties. The term of office shall be three years, and their powers and duties shall be fixed by law.

Sec. 75. All Judges, other than those provided for in the Constitution, shall be elected by the electors of the judicial district for which they may be created, but not for a longer term of office than three years.

Sec. 76. The Judges of the Supreme Court shall, immediately after the first election under this Constitution, be classified by lot, so that one shall hold for the term of one year, one for the term of two years, and one for the term of three years; and all subsequent elections the term of each said Judge shall be for three years.

Sec. 77. 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. 78. The Judges of the Supreme Court and of the Court of Common Pleas shall, at stated times, receive such compensation as may be provided by law, which shall not be increased or diminished during their term of office; but they shall receive no fees or perquisites, nor hold any other office of profit and trust under the State, other than a judicial office.

Sec. 79. The General Assembly may increase or diminish the number of the Judges of the Supreme Court, the number of the Courts of Common Pleas, the number of Justices in any district, or establish other courts, whenever two-thirds of the members elected to each House shall concur therein, but no such change, addition or diminution shall vacate the office of any Judge.

Sec. 80. There shall be elected in each county, by the electors thereof, one Clerk of the Court of Common Pleas, who shall hold his office for the term of three years, and until his successor shall be elected and qualified.

Sec. 81. The General Assembly shall provide by law for the speedy publication of the decisions of the Supreme Court made under this Constitution.

Sec. 82. The Supreme Court shall, upon the decision of every case, give an opinion in writing of each question arising in the record in such case and the decision of the Court thereon.

Sec. 83. There shall be elected by the voters of the State a Clerk and a Recorder for the Supreme Court who shall hold their offices for three years, and whose duties shall be prescribed by law.

Sec. 84. The General Assembly shall provide by law for the removal 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 the substance of a charge which shall be entered upon the journal, nor until the party charged shall have had notice thereof, and an opportunity to be heard.

Sec. 85. The several Judges of the Supreme Court, of the Court of common Pleas and of such other courts as may be created by law, shall respectively have and exercise such power and jurisdiction at Chambers or otherwise, as may be provided by law.

Sec. 86. The style of all process shall be "The State of Kansas." All process 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."

Sec. 87. The principal of all funds arising from the sale or other disposition of lands or other property granted or entrusted to this State, for educational and religious purposes, shall forever be preserved inviolate and undiminished, and the income arising therefrom shall be faithfully applied to the specific objects of the original grants or appropriations.

Sec. 88. The General Assembly shall make such provision, by taxation or otherwise, as with the income arising from the school trust fund, will secure a thorough and efficient system of common schools throughout the State; but no religious or other sect or sects shall have any exclusive right to, or control of, any part of the school funds of this State.

Sec. 89. The General Assembly may take measures for the establishment of a University with such branches as the public convenience may hereafter demand, for the promotion of literature, the arts, science, medical and agricultural instruction.

Sec. 90. Provision may be made by law for the support of normal schools with suitable libraries, and scientific apparatus.

Sec. 91. 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. 92. The General Assembly shall make provision for the establishment of an Asylum for idiots, to be regulated by law.

Sec. 93. 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.

Sec. 94. The General Assembly shall make provision for the establishment of houses of Refuge for the correction, reform and instruction of juvenile offenders.

Sec. 95. It shall be the duty of the General Assembly to make provision as soon as possible for a State General Hospital.

Sec. 96. The first General Assembly shall locate the permanent seat of Government.

Sec. 97. Lotteries and the sale of lottery tickets for any purpose whatever, shall forever be prohibited in the State.

Sec. 98. No person shall be elected or appointed to any office in this State unless they possess the qualifications of an elector.

Sec. 99. There may 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. 100. The first General Assembly shall provide by law for securing to the wife the separate property acquired by her before or after coverture, and the equal right with the husband to the custody of the children during their minority; and in case of death, insanity, intemperance, or gross impropriety of the husband, their exclusive custody.

Sec. 101. All propositions for amendments to the Constitution shall be made by the General Assembly.

Sec. 102. A concurrence of two-thirds of the members elected to each House shall be necessary, after which such proposed amendments shall be entered upon the journals with the yeas and nays, as if the Secretary of State shall cause the same to be published in at least one newspaper in each county in the State where a newspaper is published, for at least six months preceding the next election for Senators and Representatives, when such proposed amendments shall be again referred to the Legislature elected next succeeding said publication. If passed by the second Legislature, by a majority of two-thirds of the members elected to each House, such amendments shall be republished as aforesaid for at least six months prior to the next General election, at which election such proposed amendments shall be submitted to the people for their approval or rejection, and if the majority of the electors voting at such election shall adopt such amendments, the same shall become a part of the Constitution.

Sec. 103. When more than one amendment is submitted at the same time they shall be so submitted as to enable the electors to vote upon each amendment separately.

Sec. 104. No Convention for the formation of a new Constitution shall be called, and no amendment to the Constitution shall be by the General Assembly made, before the year 1865, nor more than once in five years thereafter.

Sec. 105. No Bank shall be established otherwise than under a General Banking Law.

Sec. 106. 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 paper credit designed to be circulated as money, with ample collateral security, readily convertible into specie for the redemption of the same in gold or silver shall be required; which collateral security shall be under the control of the proper officer, or officers of State. Such law shall restrict the aggregate amount of all paper credit to be circulated as money, and the aggregate amount to be put in circulation in any one year; and no note issued under the provision of this section shall be of a less denomination than ten dollars.

Sec. 107. The Stockholders in every Bank or Banking Company shall be individually liable to an amount over and above their stock equal to their respective shares of stock for all debts and liabilities of said Bank or Banking Company.

Sec. 108. All bills or notes issued as money shall be at all times redeemable in gold or silver; and no law shall be passed sanctioning, directly or indirectly, the suspension, by any Bank or Banking Company, of specie payments.

Sec. 109. Holders of Bank notes shall be entitled, in case of insolvency, to preference of specie payment over all other creditors.

Sec. 110. No Bank shall receive, directly or indirectly, a greater rate of interest than shall be allowed by law to individuals loaning money.

Sec. 111. Every Bank or Banking Company shall be required to cease all banking operations within twenty years from the time of its organization, and promptly thereafter to close its business.

Sec. 112. The State shall not be a stockholder in any Bank or Banking Institution.

Sec. 113. All Banks shall be required to keep officers and proper officers for the issue and redemption of their paper at some accessible and convenient point within the State.

Sec. 114. The said Banking law shall contain a provision reserving the power to alter, amend or repeal said law.

Sec. 115. At the time of submitting this Constitution to the electors for their approval or disapproval, the article numbered, in relation to a General Banking Law, shall be submitted as a distinct proposition in the following form:—General Banking Law; yes or no; and if a majority of the votes cast shall be in favor of said article, then the same shall form a part of this Constitution; otherwise it shall be void and of no part thereof.

Sec. 116. That no inconveniences may arise from the organization and establishment of a State Government, and that the wishes of the people may be fully accomplished, it is declared:—

1st. That no existing rights, suits, prosecutions, claims and contracts shall be affected by a change in the form of Government.

2d. That this Constitution shall be submitted to the people of Kansas for ratification on the 15th day of December next.

3d. That each qualified elector shall express his assent or dissent to the Constitution by voting a written or printed

The Great Seal of the State of Kansas.

Sec. 12. All grants and commissions shall be used in the name and by the authority of the State of Kansas, sealed with the Great Seal, 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 office 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; 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 tem shall exercise the office of Governor until a 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, impeachment, resignation, removal from office, or when he shall exercise the office of Governor, the Senate shall choose a President pro tem.

Sec. 16. Should the office of Secretary, Treasurer, Auditor, 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 or 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, who shall enter the objections at large upon the Journal and proceed to reconsider the same. If after such reconsideration two-thirds 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 two-thirds 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 five days (Sunday 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 their adjournment prevented its return, in which case it shall also be a law, unless sent back within two days after the next meeting.

Sec. 20. Contested elections for Governor, Lieutenant Governor, Judges