

Governor Lorenzo Lewelling, Correspondence, Box 1

Section 19, Pages 541 - 570

These folders contain correspondence subject files with Governor Lewelling, twelfth governor of the State of Kansas, 1893-1895, and the first Populist governor of the state. Correspondence received includes general letters, official response letters and letters concerning State agencies and subject files. Some proclamations are also included. Subject files include applications, endorsements, and remonstrances relating to candidates for appointments to the Kansas State Normal School (Emporia) (present Emporia State University), the Kansas State Penitentiary (present Lansing Correctional Facility), judicial, & other positions; county organizational documents; and letters relating to counties, crime and criminals, justices of the peace, lands, military affairs, relief aid, Prohibition law, and other topics.

Creator: Lewelling, Lorenzo Dow, 1846-1900

Date: 1893-1895

Callnumber: Governor's Office, Governor Lewelling, Correspondence, Box 1

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KANSAS
HISTORICAL
SOCIETY

Governor Lorenzo Lewelling, Correspondence, Box 1

STATE OF KANSAS.
EXECUTIVE DEPARTMENT.
GOVERNOR'S OFFICE.

Topeka, April 11th 1894.

APR 18 1894

Mr. Costigan:-

The governor says he will forward reports of this nature as fast as they come in.

Edith G. Coles,

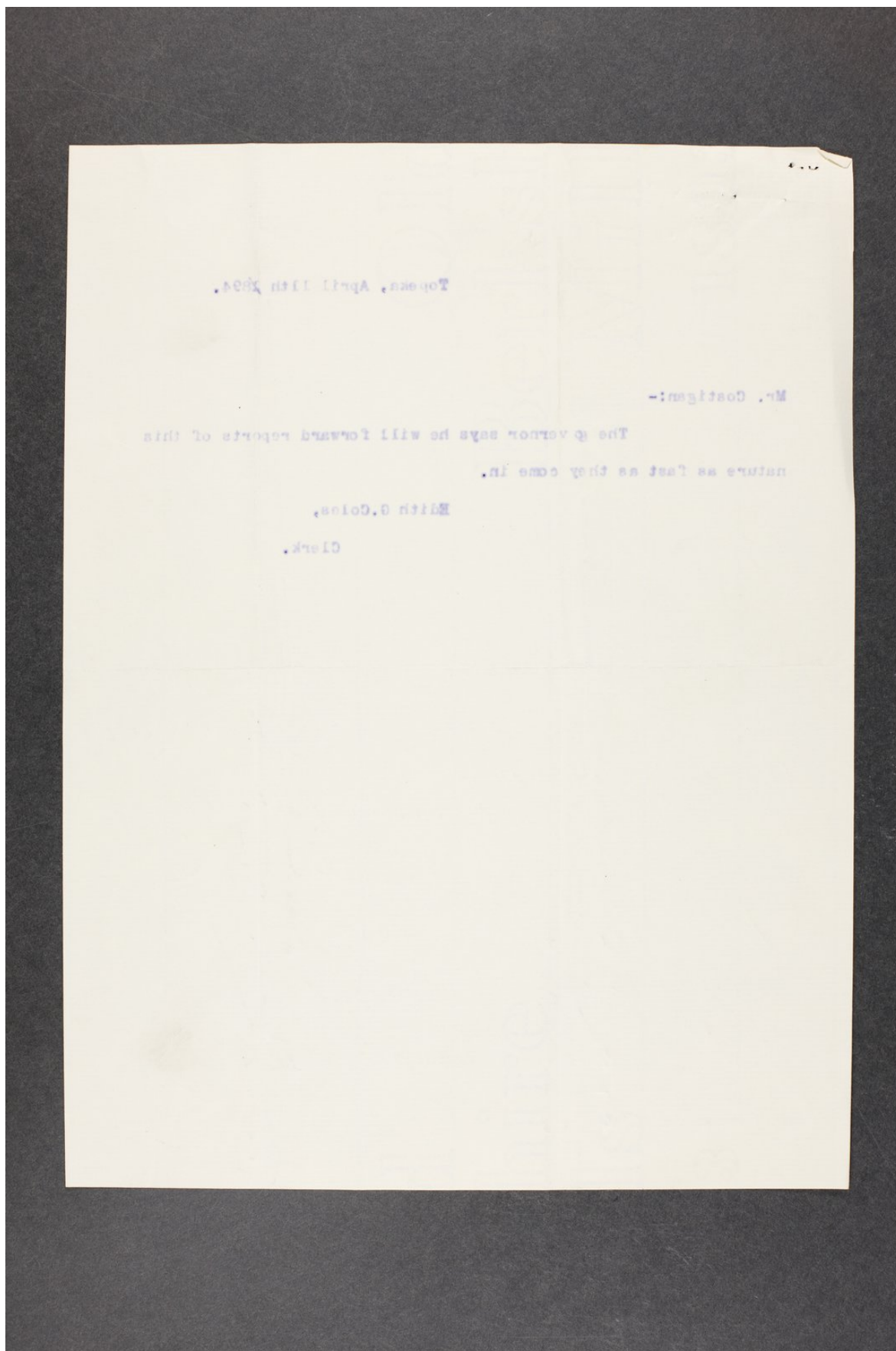
Clerk.

I want the no. of each car
and the bushels in each for the
years mentioned. Otherwise it
will be impossible to check with
the pen. books

Respectfully
W. J. L.

Please have the girls
write again and urge
immediate attention you
had both dictated letters

Governor Lorenzo Lewelling, Correspondence, Box 1



Governor Lorenzo Lewelling, Correspondence, Box 1

Exhibit "C" *Figures on list are from Ledger. Black from Reports of Companies.*

State	Companies	Business of Calendar year 1890			Business of Calendar year 1891			Business of Calendar year 1892		
		Premiums	Tax	Date Paid	Premiums	Tax	Date Paid	Premiums	Tax	Date Paid
California	Fire Companies			Mar/91			Mar/92			Mar/93
	California	5881.48			4981.84					
	Commercial	3325.27								
	Firemens Fund	2445.53			2434.34			22746.94		
	Home Mutual							2101.06		
	Oakland Home	31572.11			34516.63			36631.62		
	State Insurance & Inv	4396.97			6403.28			8215.04		
	Union	9388.45								
	Life Companies (Fire)	71551.5			761851.4			69751.66		
	Pacific Mutual	96525			86411			142577		
	Accident & Co									
	Pacific Mutual	88277			565657			18887.33		
Colorado	Total	88751.17			767157.6			84546.96		
	Fire Companies	37883.74	7557	Mar 7/91						
	Denver	44255	7752							
	Accident & Co	54053.80	10807	May 9/91	17155.0	3437.6	Apr 21/92	21027.05	420.58	
	Total	91771.1	18364		17155.02	3437.6		21027.05	420.58	
Connecticut	Fire Companies									
	Actna	28015.68			30321.62			112775.87		
	Connecticut	35318.14			34833.85			38210.20		
	Hartford	64467.1			60617.42			64231.32		
	National	25135.99			28123.5			31376.5		
	Quint	11634.86			11794.57			12180.41		
	Phoenix	65244.77			60569.90			65646.74		
	Security	87952.1			46643.5			83223.3		
	Life Companies (Fire)	335835.1			236291.04			262727.90		
	Actna	56247.0			47782.7			116526.2		
	Connecticut Mutual	15798.75			16277.32			24965.88		
	Phoenix Mutual	4235.02			38324.5			9116.73		
	Travelers	8668.02			7229.54			15875.17		
	Accident & Co (Life)	3871.86			3424.28			61120.48		
	Actna							416.13		
	Hartford Steam Boats	55895.7			3178.14			5098.24		
	Travelers	56715.92			51457.82			35491.90		
	Sub Total	326572.41			320857.84			364863.82		

Governor Lorenzo Lewelling, Correspondence, Box 1

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State	Company	Business of Calendar year 1890		Due	Paid	Business of Calendar year 1891		Due	Paid	Business of Calendar year 1892		Due	Paid
		Premiums	Tax			Premiums	Tax			Premiums	Tax		
				May/91				Mar/92				Mar/93	
Illinois	Fire Companies												
	German (Erephor)	14232946				14220595				16306082			
	German (Doria)	2729224				1875572				873177			
	German (Quincy)									71127			
	Rockford	1253942				1271668				1749471			
Iowa	Traders	1245716				1152825				1236822			
	Total	1446152				18520743				20258758			
	Fire Companies												
	2% Burlington	5222744	104455	May/91	4617244	92344		Mar/92	6052177	121057			
	State	5029310	100597	May/91	6763564	133270		Apr/92	9927562	199251			
Louisiana	Life Companies (Fire)	1150079	230131			11310757	227612			16020537	231667		
	Equitable	15751	315			101636	2033			161340	3237		
	Total	1152654	230446			11422425	229645			16211799	224904		
	Fire Companies												
	Laurens	617469	35000	July/91	554332	35000		Mar/92	617534	30000			
Maryland	Accident &												
	13% American Commercial	61451	922			554332	1312			1029750	15446		
Massachusetts	Fire Companies												
	2% Bay State	550828	11007	May/91	487579	9757		Mar/92	456151	4723			
	Springfield	600659	120053	June/91	5476819	102420		Apr/92	5709036	116180			
	Life Companies (Fire)	6532877	131060			5957198	112157			623217	124263		
	Massachusetts Mutual	13875334	277507			10724007	214481			10202771	203055		
	New England Mutual	937591	17747			1124621	22492			1232089	24662		
	State Mutual	243150	4777			317674	16352			1072060	21751		
	Total	21609578	432192			18624190	372482			18792146	425871		
Maine	Life Companies												
	Union Mutual	84175				164134				817923			
Michigan	Life Companies												
	2% Michigan Mutual	811511	16236	May/91	531738	10634		Apr/92	936198	18723			
	Accident &												
	Standard Life & Acc.	1202257	24141			1574002	30210			1329466	26018		
	Total	2013817	40377			2045768	40944			2265664	45341		

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State	Company	Business of Calendar Year 1890				Business of Calendar Year 1891				Business of Calendar Year 1892			
		Premiums	Tax	Due	Paid	Premiums	Tax	Due	Paid	Premiums	Tax	Due	Paid
				Mar 1/91				Mar 1/92				Mar 1/93	
Minnesota 2%	Fire Companies												
	Hedra	400879	5013		May 6/91	1590046	31812		Apr 7/92	1592530	31851		
	Shantline & Marine	1340732	27515		May 8/91	1492046	27413		5/92				
	Shant & Son	1180799	23616		May 6/91	1458042	27160		5/92				
	Synthetic					223370	4666		Apr 4/92	308340	6166		
	Life Companies (Fire)	2972435	59449			3157927	63039			1400220	38017		
	Life-Save & Co.									34675	693		
	Accident & Co.	000	000			000	000			000	000		
	Shant & Son	2100	42			347614	7253		Dec 7/92				
	Total	2974535	59491			3542665	70922			1435545	38710		
Missouri 1%	Fire Companies												
	American Central	1000000	10000		Jan 30/91	1817000	18170		Jan 30/92	2319732	23197	Jan 3/93	
	Standard	2361262	23612		May 9/91	2386208	23862						
	Accident & Co.	4754602	000			000	000			000	000		
	Mo. Sav. & Investment	000	000			000	000			136692	1367		
	Total	4766352	47664			2245427	22460			2456414	24564		
Nebraska	Life Companies												
	Bankers									393874			
New Hampshire 1%	Fire Companies												
	New Hampshire	1661657	16616		May 2/91	1566139	15661		Apr 6/92	1717497	17174		
	People's	1214811	12148		May 5/91	1003162	10032		May 2/92	1233676	12336		
	Total	2876468	28764			2569301	25693			2951173	29511		
New Jersey 2%	Fire Companies												
	American	721278	14425	May 1/91	May 7/91	737227	14744	May 1/92	May 20	878810	17576	May 1/93	
	Jersey City	356000	7720	May 1/91	May 13/91	578669	11572	May 1/92	May 12/92				
	Merchants	1361889	27235	3/1/91	6/13/91	1206134	23922	3/1/92	4/10/92	1314281	26215	3/1/93	
	Life Companies (Fire)	2469261	49358			2612034	52237			2195091	43166		
	Mutual Benefit	3223791	64475	3/1/91		3024775	60495	3/1/92		3139162	62712	3/1/93	
	Presidential	606094	12125	3/1/91		711208	14224	3/1/92		838423	16667	3/1/93	
	Accident & Co.	3876125	77405			3785913	74714			3475005	72451		
	Am. Employers Liability	2000	40	3/1/91		1000	20	3/1/92		237375	4741	3/1/93	
	Total	6341362	126126			6340077	126077			6403071	126060		
Ohio	Fire Companies												
	Firemen's Fund	657993											
	Life Companies												
	Union Central	2304617				3704785				3226655			
	Total	3062610				3704785				3226655			

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State	Company	Business of Calendar Year 1890				Business of Calendar Year 1891				Business of Calendar Year 1892			
		Premiums	Tax	Dec Mar/91	Paid	Premiums	Tax	Dec Mar/92	Paid	Premiums	Tax	Dec Mar/93	Paid
New York	Fire Companies												
	Agricultural	5285.33	4.16			3996.35	3.97			8352.00	6.92		
	American	7489.23	39.91			6220.20	30.86			7717.74	61.74		
	Catharine	4685.49	37.51			3897.88	31.15			4476.65	33.91		
	Continental	11949.61	93.97			11848.02	92.74			13598.04	108.76		
	Faragut					987.25	7.95			12699.17	101.39		
	German American	4602.51	36.92			4582.16	36.69			5678.70	42.23		
	Germania	14833.74	119.13			15615.52	124.92			15131.03	121.10		
	Glenville	10180.17	81.46			10218.84	81.75			11153.47	89.23		
	Greenwich	1538.01	12.31			2423.52	19.39			1814.67	15.32		
	Harmon	7376.97	70.02			7785.76	62.37			8933.27	71.63		
	Home	13766.91	110.80			13249.30	105.94			15693.92	123.31		
	Liberty	7987.97	63.90										
	New York Bowry	7599.77	60.01			6075.73	48.61			7325.56	60.20		
	Niagara	31161.53	249.29			36213.62	289.72			38099.06	304.79		
	Pacific									1601.65	12.91		
	Phoenix	63122.57	504.91			52316.96	423.52			96188.93	769.31		
	Queen					5314.54	42.02			27532.57	220.26		
	Reister German	4371.21	34.97										
	Westchester	27872.14	222.91			31161.69	249.29			32675.91	261.41		
	Williamburgh City	8578.52	68.04			8299.26	66.70			7766.11	62.13		
	Life Companies	56718.13	465.52			51804.60	414.47			63159.61	505.01		
	Equitable	139623.95				121680.61				117497.39			
	Germania	713.77				1889.14				4732.46			
	Home	48779.12				87763.00				35211.62			
	Manhattan	910.93				1169.17				980.55			
	Metropolitan	6318.94				6832.43				10580.59			
	Mutual	22549.08				190179.53				201736.81			
	New York	171363.20				114911.02				237100.92			
	Providence	11684.45				12906.71				15329.45			
	United States	2701.08				2684.99				3327.92			
	Washington	15113.17				17326.81				18588.47			
	Accident & Life	622130.24				573504.22				646716.35			
	American Surety Co	310.00	3.04			6086.53	48.69			4524.49	36.21		
	Fidelity & Casualty	79632.6	63.71			12204.61	97.63			16152.07	129.22		

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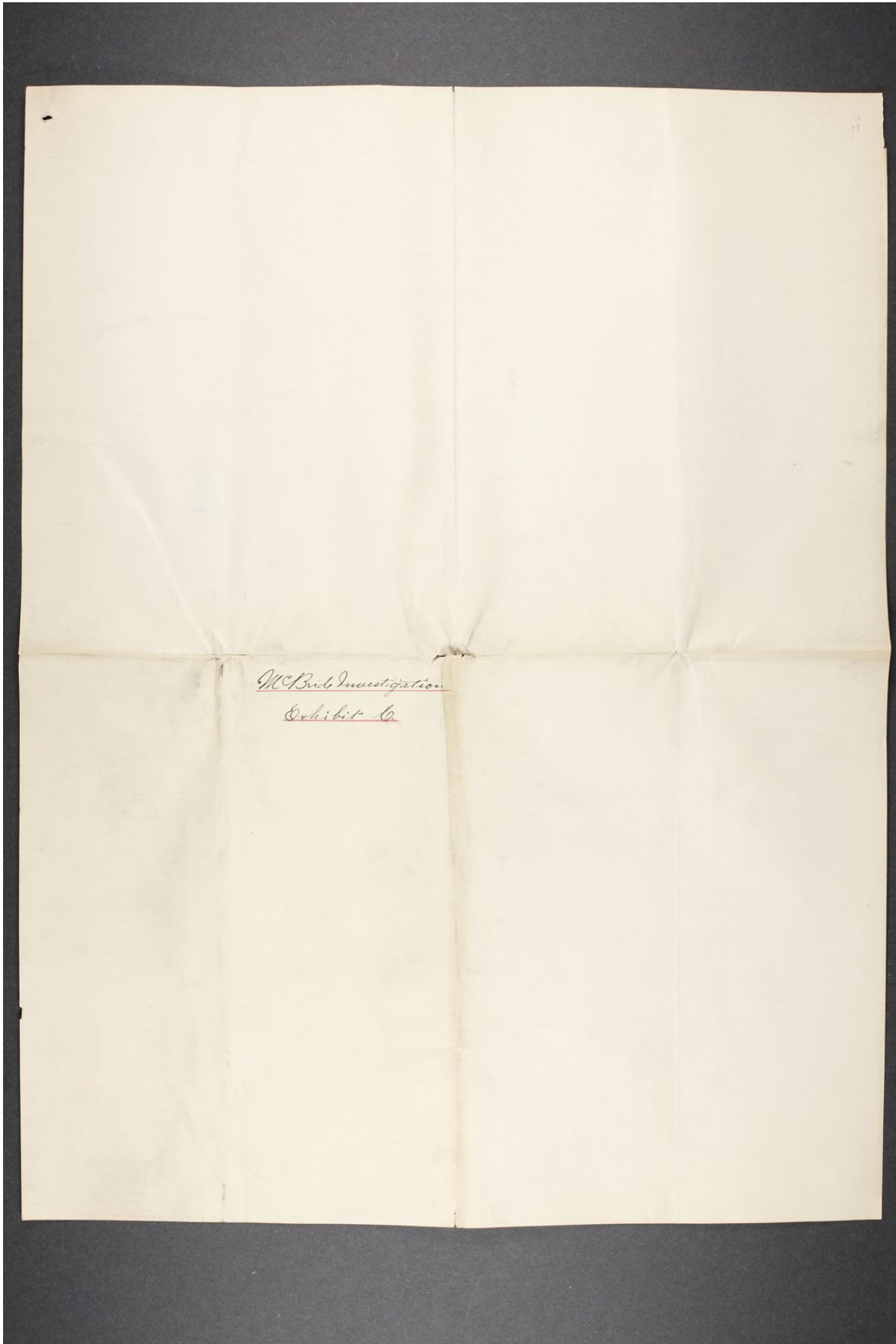
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State	Company	Business of Calendar Year 1890				Business of Calendar Year 1891				Business of Calendar Year 1892			
		Premiums	Tax	Due	Paid	Premiums	Tax	Due	Paid	Premiums	Tax	Due	Paid
New York (Continued)	Accident & Co. (Cont)												
	Lloyd's Plate Glass	447410	3779			449545	3596			435075	3481		
	Metropolitan Plate Glass	177553	1420			181093	1449			180035	1512		
	New York Plate Glass												
	Total for State	1829853	52029			2375538	50415			2135110	49993		
Pennsylvania	Fire Companies	11242632	417126			11267263	434375			13065825	587677		
	2%												
	American Fire	1801111	235660			2429575	48556	May 6/91		2342239	46844	May 26/92	
	Delaware	2877563	47597			140813	3116	May 29/92		578789	17575	May 29/92	
	Franklin	1868985	37310			1947266	38945	May 29/92		1857470	37149	May 29/92	
	Franklin	928985	13512			778990	15079	May 29/92		831683	16038	May 29/92	
	General Fire Marine	401870	8021			393407	7165	May 29/92		347398	6957	May 29/92	
	Gen. Co. of N. H.	4076149	81523			3534634	70453	May 29/92		3641031	72820	May 29/92	
	Pennsylvania	1973632	39474			1689087	33781	May 29/92		1577545	31550	May 29/92	
	Reliance									342391	6847	May 29/92	
	Spring Garden	758873	15177			594457	11889	May 26/92		781003	15420	May 26/92	
	Union									237318	4746	May 26/92	
	Life Companies Fire	2312007	241700			11557907	231157			12887067	258735		
	Chem Mutual	266113	5291			1738219	32825			1849700	36220		
	Total for State	15021870	301698			13296218	265791			14616767	298789		
Rhode Island	Fire Companies												
	2%												
Vermont	Life Companies												
	National	454639				532571				640458			
Wisconsin	Fire Companies												
	2%												
	Concordia									830634	17612		
	Midland Mechanics	1919270	35345			1882891	37657	May 29/92		1963506	39270	May 29/92	
	Northwestern National	2382010	47610			1986611	3732	May 29/92		2360770	47215	May 29/92	
	Life Companies	4301210	86025			3568423	77319			5174810	93467		
	Northwestern Mutual	1741645	30000			1734635	30000			2488000	30000		
	Total for State	22217445	116025			21215753	107319			29559410	1234977		

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State	Company	Business of Calendar Year 1890				Business of Calendar Year 1891				Business of Calendar Year 1892			
		Premiums	Tax	Due	Paid	Premiums	Tax	Due	Paid	Premiums	Tax	Due	Paid
Foreign				Mar 1/91				Mar 1/92				Mar 1/93	
	Foreign												
	Atlas									108481	2169	3/1/93	3/1/93
	British America	800896	17218	3/1/91	Mar 27/91	873646	17313	3/1/92	Mar 24/92	877049	17340	3/1/93	
	Calendonian	527081	10557	3/1/91	5/23/91	692291	13908	3/1/92	3/20/92	730701	14619	3/1/93	
	City of London	213221	4266	3/1/91	May 7/91	147798	2955	3/1/92	Mar 26/92				
	Commercial Union	3514197	70233	Mar 3/91		4660378	93208	Mar 1/92		5103640	102073	Mar 1/93	Mar 1/93
	Guardian	330840	6614	May 8/91		467286	9345	Mar 23/92		476264	9525	Mar 1/93	Mar 1/93
	Hamburg Bremen	1173012	23460	May 12/91		1085310	21706	Mar 25/92		921155	18437		
	Imperial	532920	10658	May 5/91		482129	9442	Mar 25/92		537180	10743		
	Lancashire	1518775	30375	May 18/91		1342008	26140	Mar 26/92		1572137	31442		
	Liverpool & London & Globe	2275805	45616	May 9/91		2967111	59156	Mar 24/92		3112031	62241		
	London Assurance	3033407	60668	May 9/91		778337	15706	Mar 27/92		1187904	23757		
	London & Lancashire	966121	19122	June 3/91		928111	18476	Mar 27/92		834959	16499		
	North American	1024183	20484	May 4/91		1061145	21223	3/1/92	3/6/92	1141947	22158		
	North British & Mercantile	1983322	39666	May 2/91		4065205	81304	Mar 25/92		4337276	86745		
	Notwich Union	3840641	76813	May 2/91		1482404	29048	June 28/92		1624666	32493	Mar 2/93	
	Manchester	1607826	32156	Feb 3/91		1482404	29048	June 28/92		1533366	30667		
	Phoenix	1416532	28331	May 12/91		4641164	92123	May 14/92		1134017	22282	Mar 1/93	
	Prussian National									267103	5442		
	Quaker	2618857	52377	May 15/91		2086131	41722	Feb 24/92					
	Royal	1331913	26628	May 5/91		3395439	67911	Apr 1/92		3241753	64978		
	San Francisco	526657	10533	May 7/91		1741390	34963	June 17/92		2153393	43107		
	Western Assurance	1813933	36278	May 12/91		946433	18928	Apr 9/92		1034460	20779		
	Accident & Marine	477021	9540			3385213	67026			3966442	792282		
	Employers Liability	2685373	53703										
	Guarantee Co. of N.Y.	1444995	28899	Mar 23/91		372211	7445	Apr 2/92		579633	11472		
	Maritime	145555	2911			70081	1401	Apr 1/92		293979	5867		
	Maritime	145555	2911			442365	8846			892032	17139		
	Total Foreign	2553445	51070			3429447	68572			4055654	811121		

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LEGISLATURE

Baxter Springs, Kansas
Nov 23^d 1843

Sir;
I herewith transmit
the report of the Committee of the
House of Representatives appointed
under House Resolution No 54

Very respectfully
Alexander Warner
Chairman

To
His Excellency
G D Lewelling
Topeka
Kansas

(House Journal, 1893, p. 193, 194)

5 members. Com to Div 2nd of State Treas. 1893.

Governor Lorenzo Lewelling, Correspondence, Box 1

To Hon. L. D. Lewelling, Governor:

We, the undersigned committee duly appointed and instructed by the terms of the following House resolutions and other proceedings, to-wit:

House resolution No. 54. Whereas, The treasurer of the State of Kansas is the custodian of nearly \$7,000,000 of the educational endowment funds of the state, consisting of negotiable bonds and other securities, and an average of current money to the amount of nearly \$1,000,000 to meet the current obligations of the state; and

Whereas, The financial integrity, credit and honor of the state depend upon the personal and official responsibility of the treasurer, and his legally bound and financially qualified securities, which under the wise and just provisions of the law, must be absolutely good in the sum of \$1,000,000; and

Whereas, It is currently claimed, and generally believed, that the official bond of the Hon. W. H. Biddle, present incumbent of the office of treasurer, is illegal in form, irregular in execution, and irresponsible in surety, and that said defects, if they exist as represented and believed, would render it worthless in a court of law; and

Whereas, It is demanded for the satisfaction and confidence of the people of the state, that this cloud of distrust and fear should be removed, and the state protected against the discredit and possible disaster, if its security for invested and current funds should be found thus defective: therefore be it

Resolved, That a committee of five members of this House be appointed by the speaker, who shall proceed to an investigation of the legality in form and sufficiency of security of the treasurer's bond,

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above referred to and that the committee be fully authorized and empowered to inquire into any and every condition and circumstance connected with the making and execution of said bond, and each of the forms of justification, as well as the legal responsibilities of the sureties, and that they shall have power to visit such localities as it may be found necessary in pursuit of this investigation, and to summons witnesses therefor; and that this committee shall have the right to report at any time.

Resolved, That this committee shall have power to employ a clerk and incur such expense as may be necessary to carry out the intent of these resolutions.

Resolution offered by Mr Seaton:

Resolved That the special committee appointed to investigate the matter pertaining to the bond of the state treasurer, not having completed their labors, be and is hereby instructed to continue the investigation, and when completed report the result of their investigation to the Governor.

Resolved, That all moneys expended for such purposes of investigation be allowed only upon vouchers showing each individual expense incurred, signed by Alexander Warner, chairman of said committee.

Mr. Grissom moved that the committee to investigate the bond of Treasurer Biddle be extended to investigate the bond of ex-Treasurer Stover, which motion prevailed.

Mr. Warner moved that two members from the people's party, be added to said committee which motion prevailed.

The speaker appointed Messrs McAleney and Semple on said committee.

beg leave to submit the following report:

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The committee met on the 23rd day of June 1893 and after careful consideration, came to the conclusion that it was inexpedient for said committee to undertake to investigate the sufficiency of the individual sureties upon said bond, and thereupon W.R. Hopkins, a member of said committee was appointed a subcommittee with instructions to investigate the question as to the legality of the making and executing of said bond and as to whether said bond was in the amount as required by Statute, and upon the 15th day of August 1893 the said Hopkins as such subcommittee duly presented his report. Said report of W.R. Hopkins is hereto attached and made a part hereof.

The Committee, upon investigation find the following facts to exist with reference to said bond:

That on the ____ day of January 1893 a purported bond was entered into by W.H. Biddle and other parties in the purported sum of \$1,000,000.

That on the ____ day of January 1893 what purported to be a bond in the sum of \$1,000,000, but which was not executed or signed by W.H. Biddle, but was signed by various parties who purported to be sureties thereon, was executed and is attached to said first mentioned bond.

That on the ____ day of December 1892, what purported to be a bond in the sum of \$1,000,000, but which was not executed or signed by W.H. Biddle, but was signed by various parties who purported to be sureties thereon, was executed and is attached to said first mentioned bond.

That on the ____ day of December 1892, what purported to be a bond in the sum of \$1,000,000, but which was ^{not} executed or signed by W.H. Biddle but was signed by various parties who purported to be sureties thereon, was executed and is attached to said first mentioned bond.

That on the ____ day of December 1892, what purported to be a bond in the sum of \$1,000,000, signed by W.H. Biddle as principal and various

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other parties as sureties thereon, was executed and is attached to said first mentioned bond.

That on the ___ day of December 1892, what purported to be a bond in the sum of \$1,000,000, signed by W.H. Biddle as principal and various other parties as sureties, was executed and is attached to said first mentioned bond.

That on the ___ day of December 1892, what purports to be a bond in the sum of \$1,000,000, signed by W.H. Biddle as principal and certain other parties as sureties, was executed and is attached to said first mentioned bond.

That on the ___ day of December 1892, what purports to be a bond in the sum of \$1,000,000, signed by W.H. Biddle as principal and certain other parties as sureties, was executed and is attached to said first mentioned bond.

That on the ___ day of December 1892, what purports to be a bond in the sum of \$1,000,000, signed by W.H. Biddle as principal and certain other parties as sureties, was executed and is attached to said first mentioned bond.

~~That on the ___ day of December 1892, what purports to be a bond in the sum of \$1,000,000, signed by W.H. Biddle as principal and certain other parties as sureties, was executed and is attached to said first mentioned bond.~~

That the sureties found on said first mentioned bond justify in the aggregate sum of \$677,750.

That the sureties on the second purported bond justify in the aggregate sum of \$24,600.

That the sureties on the third purported bond justify in the sum of \$24,000.

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That the sureties on the fourth purported bond justify in the sum of \$37,250.

That the sureties on the fifth purported bond justify in the sum of \$49,000.

That the sureties on the 6th purported bond justify in the sum of \$82,000.

That the sureties on the seventh purported bond justify in the sum of \$37,900.

That the sureties on the eighth purported bond justify in the sum of \$20,000.

That the sureties on the ninth purported bond justify in the sum of \$13,000, making a total of \$965,500.

That one D.H. Hefflebower, who signs one of said purported bonds attached to said first mentioned bond places opposite his name and opposite thereto "\$55,000". That said Hefflebower justifies in the sum of \$125,000.

That F.G. Hentig, who signs one of said purported bonds, does not justify in any sum.

That J.M. Neville, who signs one of said purported bonds, does not justify in any sum.

That W.D. Witmer, who signs one of said purported bonds does not justify in any sum.

That D.H. Ripon, who signs one of said purported bonds, does not justify in any sum.

That one G.F. Green qualifies for ~~xx~~ \$1,000 but does not sign any bond.

That S.S. McFarland qualifies for \$1000 but does not sign any bond.

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That the names of various parties who purport to have signed and executed certain of said purported bonds as sureties thereon, have been erased from said purported bonds. The circumstances relative to the erasure of said names are ^{not} known to this committee except as to the name of Edwin Taylor. Hon. R. S. Osborne, Secretary of State informed a majority of the committee that the name of said Edwin Taylor was erased from said bond at the time said bond was before the executive council for its action thereon.

The committee find that the executive council have approved said purported bonds as one bond.

The limited amount appropriated for the use of this committee prevents an investigation of the sufficiency of the individual sureties on said bond or bonds, and the same reason prevents the committee from investigating the Stover bond and other matters as instructed.

Respectfully submitted.

Alexander Warner
Chairman.

W. B. Hoppes,
R. H. Scruple
J. J. McAuley
John Keaton
W. B. Swan

Governor Lorenzo Lewelling, Correspondence, Box 1

--: TO THE COMMITTEE OF INVESTIGATION OF THE BOND :-
of
HON. W. H. BIDDLE, STATE TREASURER.

Mr. Chairman and Gentlemen: At a meeting of your committee on the 23rd day of June, 1893, the undersigned was appointed a sub-committee to examine into the form of said bond, the acknowledgment, execution and approval of the same, and not the sufficiency of the surities thereon. In pursuing the matter so referred, it is therefore not the intention to take into consideration the sufficiency of the surities to indemnify the State in the event of a breach of the conditions of said bond, yet it is necessary, incidentally, in a measure to call your attention to the sufficiency thereof in a general way, but not as to any individual surety thereon.

I find under the laws existing at the time of the election and induction into office of Hon. W. H. Biddle, as State Treasurer, that it became necessary for him to enter into bond to the State of Kansas in the sum of One Million Dollars, before he could legally enter upon the discharge of his duties as State Treasurer. Par. #6593, the same being Sec. #48 of Chap. 102, Art. 6 of C.L. 1889, is as follows:

"OATH AND BOND, 48. The State Treasurer shall before entering upon the duties of his office, take and subscribe the proper official oath, and shall execute to the State of Kansas a bond, on the sum of one million dollars, with sufficient sureties, to be approved by the executive council, conditioned that he will faithfully discharge his duties as treasurer, and pay over and account for all moneys that may come into his hands by virtue of his office. Such oath and bond shall be filed and recorded in the office of the secretary of state."

It will be seen from the provisions of the foregoing section that it is the duty of the executive council to approve said bond and it

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shall then be filed and recorded in the office of the secretary of State. Par. #6634, being Sec. #69, Art. #9, Chap. 102, C.L. 1889, designate who shall compose the executive council, and is as follows:

"EXECUTIVE COUNCIL, 89. An executive council is hereby created, consisting of the governor, secretary of state, auditor, treasurer, attorney general, and superintendent of public instruction, a majority of whom shall constitute a quorum for the transaction of business; but no question shall be decided without the concurrence of at least four members. The governor, or in his absence, the attorney general, shall preside over the meetings of such council; the secretary of state shall be the secretary of the executive council, and shall keep a journal of its proceedings."

Par. #6635, following, provides when and where the executive council shall meet for the performance of its duties, and there seems to be a proviso here somewhat conflicting with Par. #6593, as to who shall approve the bond of an officer who is a member of the executive council, but this is immaterial. The section is as follows:

MEETINGS. 90. The executive council shall hold their meetings in the office of the secretary of state, and shall meet in regular session on the last Wednesday of every month, and in special session at such other times as occasion may require, at the request of any two members: Provided, That any official bond required of any state officer who is a member of the executive council, shall be approved by the governor."

Par. #6636, following, imposes the duty upon the executive council to carefully look into and determine the sufficiency in form, substance, and amount of said bond, and whether the surities therein are responsible for the amount of such bond, and when satisfied that the bond is in all respects as in required by law, they shall then approve the same. Said section is as follows:

"APPROVED BONDS. 91. The executive council shall examine all official bonds required to be given by any state officer, the warden of the state penitentiary, the regents, trustees, and superintendant of the charitable and benevolent institutions of the state, or any of them where no special provision is made by law for the approval of such bonds and they shall ascertain and determine whether such bonds are sufficient in form, substance and amount, and whether the surities therein are responsible for the amount of such bonds respectively. When the council are satisfied that any such bond is in all respects such as is required by law, they shall approve the same, which approval shall be indorsed thereon, as follows 'The within (or foregoing) bond of A.B. as -----(name of office), has been duly examined and considered by

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the executive council, and the undersigned members of such council hereby approve such bond, and adjudge the same and sureties therein sufficient'. Such approval shall be dated, and shall be signed by the members of the council approving the same, each affixing his official title after his signature."

The Legislature in 1891, passed an act entitled "An Act fixing the liability of sureties on official bonds" Section 1 is as follows:

"That all persons who shall offer themselves as sureties on official bonds, whether the same be state, county, township or city bonds, may designate, opposite their signature to such bond, the amount for which they are willing to be bound; and in case of a forfeiture of the bond they shall not be liable for a greater amount than the sum so designated." Chapter 150, pp. 273, Session Laws 1891.

Par. 4838, C.L. 1889, provides the qualifications of a surety upon an official bond, and is as follows:

"QUALIFICATIONS OF SURETY. 724. The surety in every undertaking provided for by this code or other statute, must be a resident of this state, and worth double the sum to be secured, over and above all exemptions, debts and liabilities. When there are two or more sureties in the same undertaking, they must, in the aggregate, have the qualifications prescribed in this section."

Par. 4837, preceeding the above, provides for the justification of sureties upon official bonds, and is as follows:

"JUSTIFICATION OF SURETY. 723. A ministerial officer, whose duty it is to take security in any undertaking provided for by this code or by other statutes, shall require the person offered as surety to make an affidavit of his qualifications, which affidavit may be made before such officer, and shall be endorsed upon or attached to the undertaking. The taking of such an affidavit shall not exempt the officer from any liability to which he might otherwise be subject for taking insufficient security."

Par. 476, C. L. 1889, provides who shall not be taken as sureties upon official bonds, and is as follows:

"WHO NOT TO BE TAKEN AS SECURITY. 1. That no state or county officer, or their deputies, shall be taken as surety on the bond of any administrator, executor, or other officer, from whom, by law, bond is or may be required, and no practicing attorney shall be taken on any official bond, or bond in any legal proceedings as aforesaid, in the district in which he may reside; and if any such officer or deputy is surety in any such bond filed in any office, provided by law for the deposit thereof, such officer with whom such bond is filed, shall, within thirty days from and after the taking effect of this act, notify the principal on such bond to give additional security, which shall be approved as the law requires."

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Having cited certain provisions of the statutes which I deem necessary in the consideration of this matter, I will now proceed to call your attention to the sufficiency in form, substance and amount, of the purported bond of W. H. Biddle, State Treasurer, approved by the executive council and filed and recorded in the office of the Secretary of State.

Upon an examination of the papers purporting to be the bond in question, I find some fifty different and distinct pieces of paper pasted and otherwise fastened together. This of itself would be no evidence of invalidity, nor perhaps of irregularity, if it were the only objection to be raised. I find what purports to be nine separate bonds (it is claimed that they constitute but one bond). The first of these bonds as shown by the copy thereof, and found on pages twenty-five to thirty-five inclusive, of the said bond, is as follows:

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Know all men by these presents, that we, W. H. Biddle as principal, and

Rufus Cone,	Mahan Bros.,	D. M. Howard,
R. A. Sanky,	D. A. Wilson,	S. C. Trout,
D. F. Nichols,	H. K. Tuller,	T. B. Lee,
T. V. Nealy,	Fox Winnie,	Edwin Taylor,
John Tucker,	P. Luhn,	J. W. Ludy
I. P. Campbell,	Danl Shomber,	E. D. Wheeler,
J. P. Parkhurst,	J. H. Shone,	J. R. Burton,
W. B. Jones,	Robt. Anderson,	W. H. Coultis,
W. E. Hutchinson,	B. Brush,	A. C. Moore,
F. M. Watts,	G. Wash. Rogers,	W. D. Whitmer,
M. H. Church,	D. I. Furbeck,	Wm. E. Corbett,
S. A. Miller,	Fred J. Close,	Wm. Owen,
C. H. Sharp,	John Hall,	Jas. J. Kapp,
Jno. Gathrie,	Jno. B. Ricketts,	P. Laurgen,
W. J. Snodgrass,	Ben C. Rich,	A. B. Smith,
E. A. Allen,	J. M. Doubleday,	A. Evans,
J. W. Neal,	L. D. Reynolds,	A. B. Whitney,
F. M. Morris,	J. G. Melvin,	J. J. Rice,
M. E. Mitchell,	A. Bohrer,	S. A. Martin,
Thos. McKnight,	W. M. Kenton,	W. A. Yeager,
(erasure)	W. A. Harris,	J. C. Riley, Sr.
J. R. Myers,	W. C. Jones,	J. W. Heiser,
Cyrus Webb,	Jerry Simpson,	J. M. Pirtle,
J. W. Smith,	Chas. H. Moody,	H. H. Prover,
Henry Smith,	Wm. Dransfield,	Wm. Dye,
J. F. Todd,	Fred J. Hudson,	A. W. Dennison,
J. T. Oldham,	Jno. T. Little,	H. M. Brewer,
C. E. Goodyear,	S. W. Chase,	Dr. Lewellen,
A. B. Fisher,	S. C. Wheeler,	J. W. Layborn,
J. C. Robb,	A. G. Farney,	Thos. Chappell,
W. F. G. Ellis,	H. B. Young,	D. W. Thomas,

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C. F. Mitchell,	Geo. Johnston,	H. Helstrom,
A. W. Wiggins,	Henry Shapcott,	A. B. Maddox,
M. Peterson,	C. M. Pratt,	M. L. Drake,
M. W. Patterson,	H. H. Howell,	E. C. Cadwell,
W. F. Sweezy,	W. R. Murphy,	Jas. H. Lathrop,
H. J. Radcliff,	H. J. Greyson,	W. J. Barnes,
H. D. Lewis,	Leas Myers,	T. W. Mitchell,
A. Gardner,	W. T. Wyckoff,	J. O. Taber,
J. B. Farrington,	Chas. Moss,	W. T. Coffman,
Wm. Blase,	T. P. Moore,	O. L. Taber,
C. J. Eapp,	J. K. P. Barker,	W. H. Snyder,
John Gray,	Jas. Shearer,	J. D. Hill,
P. P. Mercer,	M. Senn,	J. R. Williams,
E. Bolyard,	Fred E. Yearick,	J. R. Humphrey,
C. S. Wartmont,	W. B. Helm,	Chris S. Ritter,
Aug. Anderson,	R. E. Baldwin,	C. W. Culp.
J. O. Lafferty,	J. W. Tucker,	(erasure)
Jno. Love,	F. G. Rawson,	S. J. M. Naughton,
John Gemmerson,	H. S. Landis,	S. P. Strong,
S. B. Laiglidges,	Levi Dumbauld,	Jas. Dillon,
W. T. Williams,	John A. Eaton,	F. B. Brown,
C. S. Harbough,	Jas. U. Hughes,	Geo. W. Barp,
W. A. Johnson,	Robt. Lowrie,	I. M. Watson,
Thos. White,	Z. Thomas,	J. H. Bell,
A. C. Lanbe,	S. S. Weatherby,	S. F. Healy,
J. P. Winner,	Martin Allan,	John Mallison,
C. C. Roberts,	Chas. Campbell,	S. A. Willoughby,
Jno. F. Gif,	R. M. Landwig,	D. E. Winters,
C. L. Curtis,	Wm. Folsche,	Wm. Quarles,
Mark Ward,	J. W. Howard,	P. H. Elhona,
Jno. Risset,	O. L. Sheidler,	O. S. Gibson,
J. C. Sylvester,	S. W. Baxter,	W. S. Hanna,

Governor Lorenzo Lewelling, Correspondence, Box 1

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J. F. Tone,	E. J. Ratts,	W. H. Camber,
Robt. Thompson,	E. C. Gilman,	Miller Dobin,
J. V. Robbins,	A. A. Doyle,	J. P. Parkhurst,
Walter N. Allen,	L. C. Huber,	Clark Camp,
Laban Gilges,	J. M. Randall,	G. Robinson,
R. I. Purcell,	A. J. R. Smith,	Mrs. T. H. Butler,
R. H. Boyle,	F. G. Hentigs,	W. C. Webster,
V. I. Soderstrom,	W. C. Fowler,	Silas Rutledge,
Robt. J. Buckner,	D. C. Adams,	J. D. Mollison,
Robt. P. Shulaky,	J. C. Baker,	Lu Jones,
J. P. Stevens,	D. E. Thane,	C. M. Dickson,
A. J. Jennings,	J. M. Puterbaugh,	Jonathan L. Pettyjohn,
H. C. Dryden,	J. S. King,	T. J. Hudson,
R. D. Misner,	J. W. Cook,	H. D. Patee,
E. Munch,	A. P. Gibb,	F. C. Johnson,
M. McMillen,	J. A. Coffey,	J. F. Arnold,
Jno. V. Killion,	I. M. Dooley,	H. Noulton,
Jas. Skaggs,	Jacob Yocum,	C. J. VanAllen,
Geo. Groemiller,	N. M. Elrod,	P. A. Morrison,
F. M. Powell,	M. Dillon,	L. Giles,
C. G. Allen,	Dennis Dillon,	A. M. Clark,
M. O. Kelley,	Thos. J. Smith,	P. M. Gilbert,
J. O. Kelly,	D. T. Sealock,	J. C. Hopper,
Philip Canboy,	W. E. Hutchinson,	D. H. Hefflebower,
Jas. Fitzgerald,	Mathew Jansen,	D. H. Ripon,
H. C. Linn,	C. E. Mitchell,	A. W. Crawford,
Jas. W. Andrus,	J. W. Parker,	G. G. Goode,
O. M. Shawler,	Wm. O'Brien,	D. J. Renney,
J. H. Helper,	H. T. Smith,	W. T. Turner,
W. A. Melcullough,	S. E. High,	E. C. Turner,
J. Kunker,	Philip Smith,	Wm. Savers,
Chas. Tobing,		

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B. D. Crawford,
W. O. Bashore,
S. B. Gebhart,
J. E. Brown,
L. C. Elliott,
J. L. Gibbens,
J. M. Druneil,
H. F. Williamson,
J. F. Wyatt,
Wm. Cooper,
J. M. Harvey,
A. M. Clark,
P. M. Gilbert,
J. C. Hopper,
Geo. M. Hoover,
R. L. Cofran,
S. H. Wright,
W. C. Webb,
Henry Schwaln,
A. B. Webber,
J. M. Harvey,
Jno. Wilbers,
Thos. Reilly,
D. E. Ballard,

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as sureties, are held and firmly bound unto the State of Kansas in the penal sum of one million dollars lawful money of the United States, to the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, and assigns firmly by these presents.

The conditions of the above obligation is such that, Whereas, the above-named W. H. Biddle was on the 8th day of November A. D. 1892, duly elected to the office of state treasurer for the regular term of two years, commencing on Monday, January 9th, 1893.

Now therefore if said W. H. Biddle shall well and faithfully discharge his duties as treasurer, and pay over and account for all moneys that may come into his hands by virtue of his said office, then this obligation will be void and of no effect, otherwise and to be and remain in full force.

Witness our hands this ____ day of January A. D. 1893.

W. H. Biddle, Principal.

Name of Sureties,	Name of Sureties,
Rufus Cone,	John Guthrie,
	W. J. Snodgrass,
R. A. Sunky,	E. A. Allen,
B. F. Nichols,	J. W. Neal,
P. V. Nealy,	F. M. Morris,
John Tucker,	M. C. Mitchell,
I. P. Campbell,	Thomas M. Knight,
J. P. Parkhurst,	J. W. Shaer,
W. B. Jones,	J. R. Myers,
W. E. Hutchinson,	Cyrus Webb,

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F. M. Watts,	J. W. Smith,
M. H. Church,	Henry Smith,
S. A. Miller,	J. F. Todd,
C. H. Sharp,	J. F. Oldham,
C. E. Goodyear,	Jerry Simpson,
A. B. Fisher,	Chas. H. Moody,
J. C. Robb,	William Dransfield,
W. H. Bertholf,	Fredrick J. Hudson,
W. F. C. Ellis,	John T. Little,
Mahan Bros,	S. W. Chase,
D. A. Wilson,	S. C. Wheeler,
H. K. Fuller,	A. G. Forney,
Fox Winnie,	H. H. Young,
P. Lulu,	D. M. Howard,
Daniel Shomber,	S. C. Trout,
J. H. Stone,	T. B. Lee,
Robert Anderson,	Edwin Taylor
E. Brush,	J. W. Leedy,
G. Wash. Rogers,	E. D. Wheeler,
B. I. Furbeck,	J. B. Burton,
Fred J. Close,	W. H. Coulter,
John Hall,	A. C. Moore,
John B. Ricketts,	W. D. Witmer,
Ben C. Rich,	Wm. E. Corbett,
J. M. Doubleday,	William Owen,
L. D. Reynolds,	Joseph J. Kapp,
J. G. Melvin,	P. Laurgen,
G. Bohrer,	A. B. Smith,
W. M. Kanton,	A. Evans,
W. A. Harris,	A. B. Whiting,
W. C. Jones,	J. J. Rice,
	I. A. Martin,

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N. A. Yeager,

T. V. Malone,

J. C. Riley,

J. W. Heiser,

J. M. Pirtle,

H. H. Grover,

William Dye,

A. W. Dennison,

H. M. Brewer,

Doctor Lewellen,

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J. W. Laybourn,	Aug. Anderson,
Thos. Chappell,	J. W. Lafferty,
D. W. Thomas,	John Love,
C. F. Mitchell,	John Gommerson,
A. H. Wiggins,	S. B. Laughridge,
M. Patterson,	W. F. Williams,
M. W. Paterson,	
W. E. Swezey,	
H. J. Radcliffe,	
H. D. Lewis,	
Archie Gardner,	
J. P. Farrington,	
Wm. Blose,	
C. J. Rapp,	
John Gray,	
O. P. Mercer,	
E. Bolyard,	
C. S. Wartmont,	

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C. S. Harbough,	\$2000
W. A. Johnson,	2000
Thomas White,	2000
A. C. Lamb,	2000
J. P. Warner,	2000
C. C. Roberts,	2000
John F. Gife,	2000
C. L. Curtis,	2000
Mack Ward,	2000
James Rissel,	2000
J. C. Sylvester,	1000
Geo. Johnston,	1000
Henry Shapcott,	1000
C. M. Pratt,	2000
H. H. Howe,	2000
W. R. Murphey,	1000
A. J. Greyson,	2000
Leos Myers,	2000
Wm. T. Wyckoff,	1000

33000

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" (pp. 33)		-13-
Name,		Name.
Charles Moss,		E. C. Cadwell,
T. P. Moore,		Jas. H. Lathrop,
J. K. P. Burkner,		W. J. Barnes,
James Shearer,		T. M. Mitchell,
M. Senn,		J. O. Taber,
Fred E. Yeareck,		(erasure)
W. E. Helm,		O. L. Taber,
R. E. Baldwin,		W. W. Snyder,
J. W. Tucker,		J. D. Hill,
F. G. Rawson,		J. R. Williams,
H. S. Landis,		J. R. Humphrey,
Levi Dumbauld,		Chris S. Ritter,
John A. Eaton,		C. W. Culp,
James U. Hughes,		J. M. Neville,
Robert Lowrie,		S. J. M. Naughton,
Z. Thomas,		S. P. Strong,
S. S. Weatherby,		Jos. Dillon,
Martin Allen,		F. B. Brown,
Chas. Campbell,		Geo. W. Earp,
E. M. Ludwig,		I. N. Watson,
W. M. Folsche,		J. H. Bell,
J. W. Howard,		S. F. Neely,
C. L. Shidler,		John Mollison,
S. W. Baxter,		S. A. Willoughby,
H. Helstrom,		D. E. Winters,
G. B. Maddox,		Wm. Quarles,
M. L. Drake,		P. H. McElhone,
O. S. Gibson,		Arkansas City, Ks.
W. S. Hanna,		Ottawa, Kans.