

**STATE OF KANSAS.**

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**SESSION LAWS, 1903,**

**PASSED AT THE THIRTIETH REGULAR SESSION—THE SAME  
BEING THE THIRTEENTH BIENNIAL SESSION—OF THE  
LEGISLATURE OF THE STATE OF KANSAS.**

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## CHAPTER 359.

RELATING TO THE ORGANIZATION, GOVERNMENT, ETC.,  
OF THE STATE MILITIA.

AN ACT amendatory of and supplemental to an act entitled "An act to provide for the organization, government and compensation of the militia of the state of Kansas, to prescribe the duties of certain officers thereof, to provide for the public defense, to create certain penalties, and repeal all acts and parts of acts in conflict therewith."

*Be it enacted by the Legislature of the State of Kansas:*

SECTION 1. That sections 3, 4, 5, 17, 25, 27, 28, 29 and 31 of chapter 255 of Session Laws of Kansas of 1901 be amended to read as follows:

Governor  
powers of, as  
commander-  
in-chief.

Sec. 3. The governor of the state shall be commander-in-chief of the militia, and as such shall have supreme command of the military forces of the state while in the service of the state, or until they are ordered and accepted into the service of the United States. While in the service of the state, he shall have power at any time to muster out any militia organization of the state, and he may discharge any enlisted man who may be a member of the state militia organization, and he may cause to be mustered out and discharged any commissioned officer who shall persist in wilfully neglecting the duties of his office or shall fail to properly account for public property or money in his possession as such officer; the registration of officers of the organized militia shall be accepted by his order before they can be discharged from the military service of the state. No armed military force from another state or territory shall be permitted to enter the state without his permission, unless such military force is a part of the United States army or is acting under the authority of the United States. No independent military organization, except it is a corps of cadets at an educational institution, shall be permitted to bear arms without first securing permission from the commander-in-chief.

Permission for  
armed forces  
to enter state.

Permission to  
bear arms  
required.

He shall appoint, by and with the consent of the senate, one adjutant general, with the rank of brigadier general, who shall be chief of staff; one quartermaster general, one paymaster general, one judge-advocate general, and one surgeon general, each with the rank of colonel; and three aides-de-camp, each with the rank of lieutenant colonel. The terms of office of the above-named officers shall be during the pleasure of the governor appointing them, and until their successors are appointed and qualified, but in no case to exceed four years without reappointment. The governor may also appoint one inspector general, who may be an officer of the army of the United States on duty with the national guard of the state; said inspector general is entitled to rank as colonel. The governor may also appoint one assistant adjutant general, with the rank of colonel, upon the recommendation and advice of the adjutant general.

Governor's staff, how appointed.

Term of office of.

May appoint inspector general.

Assistant adjutant general.

Sec. 4. The adjutant general shall be in control of the military department of the state and subordinate only to the governor in matters pertaining to this department; he shall have a general supervision over all the subordinate military departments. He will perform such duties as pertain to the adjutant general's department under the regulations and usage of the army of the United States; he will superintend the preparation of all returns and reports required by the United States from the state; he will require to be furnished a certificate of the military service, in accordance with the records in the adjutant general's office, to any soldier who has served in the army in any of the state military organizations who may apply for the same; said certificate to be furnished without charge to the applicant. He shall audit and pass upon all claims of a military character against the state, and no contract of a military nature against the state shall be valid or paid until approved by him. He is empowered to make such regulations pertaining to the preparation and rendering of reports and returns and to the care and preservation of public property as

Adjutant general, duties of.

To audit claims.

Power to make certain regulations.

cate pay-rolls duly signed and attested are filed with the adjutant general.

SEC. 2. That the adjutant general and assistant adjutant general are each authorized and empowered to administer oaths in matters pertaining to the duties of his office as relates to the organization of boards of survey, courts-martial and courts of inquiry, affidavits covering the loss of military property belonging to the state or the United States, to oaths of office of officers of the Kansas national guard, and to statements and reports required from officers pertaining to property and money accountability and expenditure.

Adjutant general and assistant adjutant general empowered to administer oaths in certain matters.

SEC. 3. The adjutant general is authorized to adopt an appropriate seal for use in his office, to be affixed to all oaths that he administers under authority of law, and to authenticate all certificates required of him.

Adjutant general to adopt a seal for his office.

SEC. 4. The original sections 3, 4, 5, 17, 25, 27, 28, 29 and 31 of chapter 255 of Session Laws of Kansas of 1901, and all acts and parts of acts in conflict with this act, are hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its publication in the statute-book.

Approved March 9, 1903.

## CHAPTER 360.

### TO DEFINE THE TERM "MINING."

AN ACT to define the term "mining," and to further provide for the formation of mining companies and corporations.

*Be it enacted by the Legislature of the State of Kansas:*

SECTION 1. The term "mining," as used in this and all other statutes, shall be held to mean the prospecting for and obtaining of all metallic and mineral substances, and in addition thereto coal, clay, stone,