

questions seem to have been introduced to justify the final consummation of the transaction, viz, the surrender of the \$500,000. Stock and issue of the same amount of bonds. The rights of the County, resting on the proposition submitted to the people on the 6th day of Feb'y 1867, limiting the action of the Commissioners were clearly undisputed.

That the Agents of the Company should be untiring in their efforts to get possession of the bonds without regard to compliance with the conditions on which they were voted was not unusual. It was their evident purpose to serve their employers as best they could. It ought to have been the purpose of the Commissioners to serve the County, whose interests were committed to their keeping with equal fidelity.

At the Meeting of the Board on the 6th day of November 1868, the following Preamble and resolutions were adopted by the Board.
Whereas, the Board of Directors of the Leavenworth, Lawrence and Galveston rail road, at their meeting held in the City of Lawrence Nov 5th 1868, passed the following resolutions.

" Resolved. That the Board of County Commissioners of Douglas County
" be requested by the Vice President of the Company to deliver to Josiah
" Miller, as agent of the Company the three hundred bonds of Douglas
" County, for one thousand dollars each, Authorized to be executed
" and delivered to the Company by said Commissioners in payment
" of the Subscription of said County to the Capital Stock of this
" Company, and in case said bonds are delivered to said Josiah
" Miller on demand, the Company hereby agrees, that the said bonds
" or the proceeds thereof shall be used and applied solely in the
" purchase of iron and construction of road south of Ottawa, and
" that Josiah Miller be and he is hereby directed immediately on
" the receipt of said bonds to deliver the same to John B. Vleit
" as agent of said Company to be used by it for the purpose aforesaid
" said and none other -

" Resolved. That in arranging and determining the tariffs of charges
" for the transportation of freights and passengers by the Company,
" no discrimination shall ever be made against the City of Lawrence,
" but the rates to and from Lawrence shall be as low as for equal
" distance to and from the terminus of the road "

" Therefore in Consideration of the same and the action heretofore
" taken by this Board

" Resolved. That George Cutter, Chairman, on behalf of the County
" of Douglas be authorized to subscribe for \$500,000. of the Capital
" Stock of said Leavenworth, Lawrence & Galveston rail-road
" and to deliver to said Josiah Miller, Agent of the Company said
" \$500,000 of Douglas County bonds and secure therefor a like amount
" of Stock of said railroad Company according to the terms of the