

" resolution of this Board of County Commissioners passed April 15th 1868. Josiah Miller was an old and highly respected Citizen of Lawrence and largely enjoyed the Confidence of the People of the County. He had been a member of the Board of Directors of the Company, but it will be observed that by the terms of the resolution he was not invested with any power other than to receive the bonds and immediately on their receipt to deliver the same to John B. Vleit an Agent of the Company. At the same meeting at which this action was had, it was ordered that W. S. Beach County Treasurer be directed to deliver to Josiah Miller the bonds then in Mr Beach's possession, and that the Clerk be directed to issue the order of the board and deliver the same to said Beach.

The Commissioners were again in session on the 14th day of November 1868. And Mr Beach having thus far failed to furnish the printed bonds, the board decided to issue a single bond of \$300,000, reserving in the resolutions authorizing the issue of said Bond, the right to exchange the same for bonds of the denomination of \$1000 each. —

It is to the proceedings of this meeting, and to the proceedings of subsequent meetings to which we desire to call particular attention. Notwithstanding the order of the Board of the 6th of November to deliver the Bonds to Josiah Miller, and though but eight days had elapsed since that time, the Commissioners proceeded to issue a single bond covering the whole amount of \$300,000. This Bond was in writing, was signed by the Commissioners, and was made payable in thirty years from the 1st day of January 1868, being antedated ten months and fourteen days. It was delivered to an Agent of the railroad Company.

The designation of Judge Miller as the person to receive the bonds was not adhered to, nor does it appear from the record that any actual Subscription was made as directed to the Stock of the Company.

Nothing further was done until the 12th of May 1869. — On that date the plan of surrendering the \$300,000. of Stock without consideration was matured, and the members of the Board, conjointly with William Sturgis, the President of the railroad Company proceeded to give it the color of official sanction. The railroad Company proposed the basis on which this transaction was to be presented to the public. It contained new conditions which the Commissioners had no authority from the people to entertain and in no way implied in the original proposition submitted for popular approval.

The following are the material portions of said agreement.

I. On the part of the railroad Company: That the City of Lawrence in the County of Douglas shall be its present Terminal point and shall forever remain a point on its main line, that it shall and will occupy suitable depot grounds already provided or to be provided.