

by the City of Lawrence, and erect suitable buildings thereon: that the rates of transportation for freight and passengers to and from the City of Lawrence over said road shall be as low per mile as the rates of transportation to and from the City of Leavenworth, or to and from any other City or station within the State of Kansas on the line of said road.

II. On the part of the County Commissioners of Douglas County: The Surrender of the \$300,000 Stock in consideration of the sum of one dollar, that as soon as the iron sufficient to build 25 miles of rail road shall be delivered in the City of Ottawa, Franklin Co. Kansas, the \$300,000 in bonds shall be delivered to the rail road Company or its Authorized Agent in accordance with the condition of a bond of even date entered into by Sheldon Sturgis, Buckingham Sturgis, Frank Sturgis and Albert Sturgis. -

The bond referred to is not on record or in the County Clerk's Office and we are informed by Mr Barker, the present County Attorney, and also by Mr Hutchings, his predecessor, that it furnished no security for the compliance with the conditions of the agreement.

The next step was to get the printed bonds out of the hands of the County Treasurer who still refused to deliver them up to the Commissioners. He was instructed by resolution of the Board on the morning of May 20th to deliver the bonds to the Chairman but refusing still. On the afternoon of the same day the Commissioners resolved as follows.

"Resolved, That the County Attorney be and is hereby directed to proceed at once to apply to the Hon. Judge of the District Court for a writ of Mandamus on said Treasurer, to compel him to deliver to this Board the said bonds.

This was followed on the 17th of June by a resolution to transfer the \$300,000. of Stock for \$1. to James S. Joy of Detroit, Michigan to be by him transferred and delivered to the Rail Road Company. The final consummation of this matter was reached on the 9th of July 1869. - The Treasurer, threatened with a Mandamus, turned over the printed bonds to the Commissioners, who delivered the same to the Rail Road Company - But before this was done as appears by the Commissioners record on the 9th day of July 1869, the sum of \$21,000. was taken from the County Treasury by the passage of the following resolution:

"Resolved, That for the purpose of enabling said Rail Road Company to pay the taxes due the County of Douglas upon the property of said Company and the local debts of said Company as contemplated by resolution of said Company passed June 30th 1869, the Chairman of the County Board is hereby Authorized and instructed to detach from said