LEXINGTON INTELLIGENCER
1883-1884

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XENOPHON RYLAND.
ATTORNEY-AT-LAW. Will give prompt attention to all business entrusted to his care. Will practice in all the courts, except the Probate Court of Lafayette county. dec21

T. C. WOOD.
ATTORNEY-AT-LAW AND NOTARY PUBLIC. Office opposite City Hotel. apr29y1

MONEY TO LOAN.
apr28tf T. C. WOOD.

GEO. S. RATHBUN, SR. GEO. S. RATHBUN, JR. Notary Public.
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ATTORNEY AT LAW. Will practice his profession in the courts of Lafayette and surrounding counties. Prompt attention given to business entrusted to his care. Office over Keller's store, front room. [feb29y1]

THOS. J. DULING.
ATTORNEY-AT-LAW, Lexington, Mo., office with Alex. Graves, Esq., over Royle & New's Store. Will practice in all the courts of Lafayette and adjoining Counties, and in the State Supreme Court. Collections promptly made, Taxes paid for non-residents or others, Rents collected, &c. Patronage solicited. (janlOyr1)

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PHYSICIAN & SURGEON, office opposite courthouse, over M. E. Keller's store. Residence: Southeast corner Main and College streets. jan1'76-1y.

DENTIST.
F. HASSELL, D. D. S.—OFFICE OVER J. Kriehn & Meyer's Boot and Shoestore, Lexington, Missouri. july19

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SURGEON DENTIST, office opposite the courthouse, upstairs, Lexington, Missouri.

BANKS.

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Does a General Banking Business. Deposits received. Domestic and foreign exchange for sale. Collections made. Individuals, firms or corporations keeping accounts with this bank can depend on getting their accommodations at lowest rates. feb21

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IT is the largest and best selected Stock ever brought to this city, and guarantees his work and fit equal to any Tailor in St. Louis or Kansas City. He has also a stock of
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BUCK GLOVES,
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AND ELDREDGE
SEWING MACHINES
NEEDLES AND SUPPLIES.
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Pays the Highest Market Price for
HIDES, WOOL, FURS,
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BONES, IRON, METALS, &c.
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Get Boston Belting Company's Standard Belting, at Jordan's Foundry and Machine shops. m6tf

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WILL, after June 1st, 1882, have on hand and for sale at all times a limited supply of Pigs and Shoats, of his breeding, warranted of pure blood. My principal breeding stock is recorded in the Central Poland-China Record, volume 2; and others will be recorded in volume 3. Persons desiring this breed of hogs are invited to come and examine my herd. Satisfaction guaranteed. I have been breeding this stock since 1874 with success. febl1y1

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WISHES to inform the citizens of Mayview and vicinity that he is still in the Blacksmithing and Wagon Making business, at his old stand; that he has been there since 1867, and proposes to remain, Providence permitting, until 1887 and longer.
Horse Shoeing and Machine Repairing a specialty.
Good Work; Hying prices, and satisfaction guaranteed in all cases. Give him a call. 12y51

JERRY PROCTOR,
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Desiring to Close Out My Stock of
—(:)—
CLOTHING,
—:o:—
I HAVE greatly reduced the prices thereon, and will sell anything in that line
CHEAPER
Than it can be purchased elsewhere in the county.
Also great reductions in the price of other
GOODS.
Call and examine prices before purchasing elsewhere.
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JAS. W. HARRISON,
CHEAP CASH STORE,
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HAVING just opened out at the above place a Full and Complete Stock of
DRY GOODS,
NOTIONS,
READY MADE CLOTHING,
BOOTS,
SHOES,
HATS,
CAPS,
RUBBER GOODS,
GROCERIES,
QUEENSWARE,
GUNS,
AMMUNITION,
and a large assortment of other Goods, I respectfully ask an examination of my stock and prices before purchasing elsewhere.
Special prices on a large stock of Overcoats. Buck and Seal Gloves and Ladies' Cloaks and Dolmans. Also a complete assortment of Pocket and Table Cutlery.
CHRISTMAS GOODS
in great variety and at bed rock prices.
Remember the place, Knipmeyer's old stand,
dec16tf CORDER, MO.

THE MILLER BROS. CUTLERY CO.
MERIDEN, CONN.
STANDARD POCKET CUTLERY,
Ladies' Scissors and Ink Erasers.
STEEL PENS.
We show out of Patent Adjustable Quill Action Reservoir Pen, "The Acme," and will mail sample gross on receipt of $2.
Our whole line of Pens will be sold by the trade.
Price Lists furnished to dealers on application.
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This COMPOUND gives *QUICK RELIEF* in Coughs, Colds, Sore Throat, Hoarseness, Croup, Soreness of the Lungs from Coughing, Pneumonia, Pleurisy, Bronchitis, Catarrh, Asthma, Whooping Cough, Measles, and Consumption. Laboratory 1223 Grand Ave., Kansas City, Mo. *Sold by all Druggists.* Price only 25 cents.
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For all Nerve and Brain affections are invaluable. They are prompt, safe and effectual. The best known remedy in the world for nervousness in all stages: Weakening of the memory, Loss of Brain power, Nervous Debility, Lost Energy, Lost Hopes, Imprudences of Youth, Excesses in maturer years, Seminal Weakness, and General Loss of Power in Generative Organs.
Dr. Clark's To those suffering from Nervous Irritability, Nervous Headache, Nervous Prostration, Nervous Exhaustion, relief is afforded. In many cases of female weakness they act like a charm. The Student, the Teacher, the Clergyman, the Editor, the Business man, can all be benefited by their use. Life is too short to waste away in a dull torpid manner, when a $1 50 box will benefit you, and six boxes will cure and restore you to health and happiness for $7 50. Ask your druggist for them. Take no other. Or send direct to the manufacturers, who will send them by mail, sealed, on receipt of price. Address Dr Clarke Medicine Company, 628 Broadway, New York. Send 2 cent stamp for circular
Invigorating Pills.
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SIMMONS LIVER REGULATOR
For Dyspepsia, Costiveness, Sick Headache, Chronic Diarrhœa, Jaundice, Impurity of the Blood, Fever and Ague, Malaria, and all Diseases caused by Derangement of Liver, Bowels and Kidneys.
SYMPTOMS OF A DISEASED LIVER.
Bad Breath; Pain in the Side, sometimes the pain is felt under the Shoulder-blade, mistaken for Rheumatism; general loss of appetite; Bowels generally costive, sometimes alternating with lax; the head is troubled with pain, is dull and heavy, with considerable loss of memory, accompanied with a painful sensation of leaving undone something which ought to have been done; a slight, dry cough and flushed face is sometimes an attendant, often mistaken for consumption; the patient complains of weariness and debility; nervous, easily startled; feet cold or burning, sometimes a prickly sensation of the skin exists; spirits are low and despondent, and, although satisfied that exercise would be beneficial, yet one can hardly summon up fortitude to try it—in fact, distrusts every remedy. Several of the above symptoms attend the disease, but cases have occurred when but few of them existed, yet examination after death has shown the Liver to have been extensively deranged.
It should be used by all persons, old and young, whenever any of the above symptoms appear.
Persons Traveling or Living in Unhealthy Localities, by taking a dose occasionally to keep the Liver in healthy action, will avoid all Malaria, Bilious attacks, Dizziness, Nausea, Drowsiness, Depression of Spirits, etc. It will invigorate like a glass of wine, but is no intoxicating beverage.
If You have eaten anything hard of digestion, or feel heavy after meals, or sleepless at night, take a dose and you will be relieved.
Time and Doctors' Bills will be saved by always keeping the Regulator in the House.
For, whatever the ailment may be, a thoroughly safe purgative, alterative and tonic can never be out of place. The remedy is harmless and does not interfere with business or pleasure.
IT IS PURELY VEGETABLE,
And has all the power and efficacy of Calomel or Quinine, without any of the injurious after effects.
A Governor's Testimony.
Simmons Liver Regulator has been in use in my family for some time, and I am satisfied it is a valuable addition to the medical science.
J. GILL SHORTER, Governor of Ala.
Hon. Alexander H. Stephens, of Ga., says: Have derived some benefit from the use of Simmons Liver Regulator, and wish to give it a further trial.
"The only Thing that never fails to Relieve."—I have used many remedies for Dyspepsia, Liver Affection and Debility, but never have found anything that gave me relief to the extent Simmons Liver Regulator has. I sent from Minnesota to Georgia for it, and would send further for such a medicine, and would advise all who are similarly affected to give it a trial as it seems the only thing that never fails to relieve.
P. M. JANNEY, Minneapolis, Minn.
Dr. T. W. Mason says: From actual experience in the use of Simmons Liver Regulator in my practice I have been and am satisfied to use and prescribe it as a purgative medicine.
Take only the Genuine, which always has on the Wrapper the red Z Trade-Mark and Signature of J. H. ZEILIN & CO.
FOR SALE BY ALL DRUGGISTS.

Burdock BLOOD BITTERS
Cures Scrofula, Erysipelas, Pimples and Face Grubs, Blotches, Boils, Tumors, Tetter, Humors, Salt Rheum, Scald Head, Sores, Mercurial Diseases, Female Weaknesses and Irregularities, Dizziness, Loss of Appetite, Jaundice, Affections of the Liver, Indigestion, Biliousness, Dyspepsia and General Debility. Directions in eleven languages.
A course of Burdock Blood Bitters will satisfy the most skeptical that it is the Greatest Blood Purifier on earth.
PRICE, $1.00. TRIAL SIZE, 10 Cents.
FOSTER, MILBURN & CO., Prop'rs, Buffalo, N. Y.
Sold by C. W. LOOMIS. July9-eow-tf

TUTT'S EXPECTORANT
Is composed of Herbal and Mucilaginous products, which permeate the entire tissue of the Lungs, expectorates the acrid matter that collects in the Bronchial Tubes, and forms a soothing coating, which relieves the irritation that causes the cough. It cleanses the lungs of all impurities, strengthens them when enfeebled by disease, invigorates the circulation of the blood, and braces the nervous system. Slight colds often end in consumption. It is dangerous to neglect them. Apply the remedy promptly. A test of twenty years warrants the assertion that no remedy has ever been found that is as prompt in its effects as TUTT'S EXPECTORANT. A single dose relaxes the phlegm, subdues inflammation, and its use speedily cures the most obstinate cough. A pleasant cordial, children take it readily. For Croup it is invaluable and should be in every family.
In 25c. and $1 Bottles.

TUTT'S PILLS
ACT DIRECTLY ON THE LIVER.
Cures Chills and Fever, Dyspepsia, Sick Headache, Bilious Colic, Constipation, Rheumatism, Piles, Palpitation of the Heart, Dizziness, Torpid Liver, and Female Irregularities. If you do not "feel very well," a single pill stimulates the stomach, restores the appetite, imparts vigor to the system.
A NOTED DIVINE SAYS:
DR. TUTT:—*Dear Sir:* For ten years I have been a sufferer from Dyspepsia, Constipation and Piles. Last spring your pills were recommended to me; I used them (but with little faith). I am now a well man, have good appetite, digestion perfect, regular stools, piles gone, and I have gained forty pounds solid flesh. They are worth their weight in gold.
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DR. TUTT'S WAFERS (A Valuable Article) Receipts FREE on application.
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OFFICIAL COUNTY PAPER.
Terms, $2 per Year, in Advance.
ALEX. A. LESUEUR, - - - - EDITOR
ETHAN ALLEN, - - BUSINESS MANAGER.
W. G. MUSGROVE, - - - - PUBLISHER.

PACIFIC RAIROAD TIME TABLE.

LEAVE LEXINGTON.
Accommodation for St. Louis and the East ..... 5:45A. M
Express and Mail for St. Louis, East. 8:15 P. M.
ARRIVE.
Express and Mail from St. Louis, East and South ..... 7:30 A. M.
Accommodation from St. Louis, East and South ..... 9:40 P. M.
C. BEN RUSSELL, Agent.

MO. P. R. R.—K. C. & E. DIVISION—NARROW GAUGE.
LEAVE LEXINGTON FOR KANSAS CITY.
Passenger ..... 5:20 A. M.
Freight and accommodation ..... 1:00 P. M.
ARRIVE AT LEXINGTON.
Passenger ..... 9:00 P. M.
Freight and accommodation ..... 11:00 A. M.
C. BEN. RUSSELL, Agent.

WABASH, ST. LOUIS AND PACIFIC.
LEAVE LEXINGTON
Trains for St. Louis, K. C and St. Joe 6:25 A M
Trains for St. Louis and East ..... 8:35 P M
ARRIVE AT LEXINGTON
From St. Louis and all points East ..... 6:35 A M
From Kansas City and all points West .. 8:55 A M
From St. Louis K. C. and St. Jo ..... 8:35 P M
N. G BISHOP, Agent.

CHICAGO & ALTON R. R.—AT HIGGINSVILLE.
GOING EAST.
No. 47, Kansas City Mail ..... 8:47 A. M.
No. 5, Denver Express ..... 8:52 P. M.
No. 49, Slater Accommodation ..... 8:20 P. M.
No. 101, Local Freight ..... 11:40 A. M
GOING WEST.
No. 6, Denver Express ..... 7:16 A. M.
No. 50, Kansas City Accommodation 7:42 A. M.
No. 48, Kansas City mail ..... 7:41 P. M.
No. 102, Local Freight ..... 11:40 A. M.
CHICAGO TIME.
No. 6 stops at Independence only. No. 5 stops at Marshall and Slater only: Nos. 47, 48, 49, 50, 101 and 102, make all stops. Nos. 101 and 102 run daily except Sunday. Other trains run daily.
We keep a full line of through tickets to all principal points in United States and Canada at bottom prices.
R. P. PRICE, Agent.

THE GOVERNOR'S MESSAGE.

State Finances Declared to be in a Very Healthy Condition.

What Has Been Done and What Remains to be Done in the H. and St. Joe Bond Matter.

How the Stigma of "Robber State" has Been Removed from Missouri.

SENATORS AND REPRESENTATIVES.—Section 10 of article 5 of the constitution of Missouri, requires me, as governor of the state, to give the general assembly "information, by message, of the condition of the state," and to recommend to you such measures as I may deem expedient.

In obedience to this requirement I give you herein such information and suggest such measures as to me seem necessary and expedient.

I congratulate you upon your assembling, as the chosen representatives of the people, under such auspicious surroundings and favorable circumstances.

Order prevails in every part of the state; local affairs are managed with wisdom and economy; the labors of the husbandman have been repaid with most abundant harvests; the people are blessed with good health peace, liberty, and contentment; signs of individual and general prosperity greet the eye upon every hand. In acknowledgment of these manifold blessings, it becomes us, as a Christian people, to return our sincere thanks to the source of all good, and to implore Him to avert from our land and homes "the pestilence that walketh in darkness and the destruction that wasteth at noonday."

As no necessity exists for a great amount of general legislation, there is a corresponding lack of a necessity for a protracted session. I trust that your association may be pleasant to you and of lasting benefit to the state and people.

THE STATE TREASURY.

I announce to the people of the state, with gratification, that their finances have never been in a more satisfactory condition. The obligations of the state are promptly met, and every legal demand made upon the treasurer is paid as soon as presented. During the present administration not a warrant of the state has been discounted because of non-payment. In fact, there is not a single warrant now outstanding. Heretofore warrants have been issued and sent to the various civil officers and other claimants throughout the state, and before the warrants were, or could be cashed, they were discounted by some person or bank in the locality to which they were sent. Now the warrants are sent by the auditor to the treasurer, who issues a draft therefor upon the Bank of Commerce of St. Louis, upon which the money is received without delay or discount. The warrants drawn payable to the creditor or bearer, were liable to be lost and cashed by some one other than the real owner. Such is not the case now. I think the change a prudent one.

In compliance with section 7,637, Revised Statutes, the treasurer on the 22d day of January, 1881, had a circular letter printed and sent to all of the principal banks or banking institutions of the state and printed in many of the newspapers of the state, soliciting bids for keeping the public funds for the term specified in such bids and until a new contract shall be made. On the 8th day of February, 1881, the bids were opened as directed by law, in the presence of the governor and attorney-general; and it being seen that the Bank of Commerce of St. Louis proposed paying, monthly, the highest interest or bonus on the average daily balances, that bank was selected as the state depository and gave the security required by section 7,639 of the Revised Statutes. The bank has faithfully fulfilled its part of the contract from that date to the present time, and has furnished the state every desired facility in the transaction of its financial business. By the close of this year the bank will have paid the state something over $34,000 as interest upon the deposits, which has been credited one-half to the interest and one-half to the revenue fund. On the 4th day of December, 1882, the treasurer, under section 7,637 of the Revised Statutes, mailed a second circular letter to each of the banks or banking institutions of the state, soliciting bids for keeping the public funds, which bids would be received until the 15th day of December, 1882. As no bids were offered on that day from any source, the contract heretofore entered into with the Bank of Commerce of St. Louis was continued at the same rate and upon the same terms. This bank has paid from the beginning of the contract double the interest heretofore received by the state. It is one of the most solvent and responsible banks in the state. Since the present law went into effect the money of the state is so absolutely secured in the depository by United States and Missouri state bonds, pledged as security, in excess of the deposits, that if the depository should meet with reverses, the state's money could be obtained within fifteen days. The National Bank of Commerce, of New York, is the trustee in charge of the hypothecated bonds. In the event that the Bank of Commerce, of St. Louis, should fail to pay the check or checks of the treasurer, under the written contract between the bank and the treasurer, he is authorized—with the approval of the governor and attorney-general—to direct the trustee to sell, within ten days after the refusal to honor the check or checks, the bonds so deposited, or as many as may be necessary to pay the whole amount of the state's deposit in the bank. The importance of this contract to the state can be seen at a glance. It not only fully secures the deposits of the state, but it also gives immediate recourse upon the bonds upon a certain contingency, which insures the continuance of the state's credit. The treasurer keeps a small sum of money in the vault of his office in the capitol, for daily use, an account of which will be given in his report. The following tables show the amount of deposits, monthly, in the Bank of Commerce, how secured, and the interest received by the state on the same:

MONTHLY BALANCES.

Date.	Am't in Bank of Commerce.	Bonds held as security.
1881—		
January 10	$ 339,485 99	$ 350,000
February 1	954,997 03	1,000,000
March 1	1,404,222 60	1,300,000
April 1	1,231,335 04	1,300,000
May 1	961,954 48	1,000,000
June 1	801,406 07	1,000,000
July 1	2,297,339 83	3,400,000
August 1	3,222,360 15	3,400,000
September 1	3,339,345 67	3,400,000
October 1	3,354,715 21	3,400,000
November 1	3,399,181 11	3,500,000
December 1	3,199,412 80	3,200,000
1882—		
January 1	3,384,997 81	3,450,300
February 1	4,069,782 31	4,062,400
March 1	3,976,767 79	4,015,000
April 1	3,808,686 60	3,833,400
May 1	3,699,993 37	3,725,850
June 1	3,387,507 61	3,616,000
July 1	3,238,421 43	3,230,000
August 1	3,189,573 65	3,230,000
September 1	563,083 96	575,000
October 1	564,428 31	605,000
November 1	576,825 96	600,000
December 1	494,264 35	720,000
1883—		
January 1	849,352 26	870,000

INTEREST ON DEPOSITS.

Amounts received monthly from the Bank of Commerce, as interest on deposits:

1881—	
January	$200 61
February	579 83
March	893 78
April	692 07
May	539 00
June	914 28
July	2 098 58
August	2,056 05
September	2,000 87
October	2,098 64
November	2,028 56
December	2,044 47
Total receipts for 1881	$16,076 74
1882—	
January	2,347 95
February	2,337 88
March	2,438 33
April	2,355 52
May	2,271 25
June	2,083 16
July	1,986 49
August	1,507 50
September	336 25
October	365 98
November	375 99
December	378 85
Total receipts for 1882	$18,584 39
Total for the two years	$34,661 13

STATE CLAIMS.

By authority of an act of the legislature, approved March 19, 1881, authorizing the fund commissioners, if they deemed it expedient, to employ an agent to prosecute the claims of this state against the government of the United States, a contract was made with Hon. John T. Heard to prosecute such claims in behalf of the state, and he immediately entered upon the discharge of his duties. He has already collected and accounted to the state for the sum of two hundred and thirty-four thousand five hundred and ninety-four dollars and ten cents, and is now in Washington, laboring to procure such legislation as will secure to the state the claims remaining unsettled.

The claims of the state consist of two kinds:

First, war claims, or claims arising out of the furnishing of troops and supplies to the United States government during the late civil war, and, second, claims arising under the enabling act of congress and the ordinance of acceptance by the state, under which the state was admitted into the Union. This compact guaranteed to the state, in consideration of certain conditions by it accepted, five per cent. of the net proceeds arising from the sale of all public lands in the state of Missouri after admission, &c. The amount due the state on account of all sales made for cash has been paid; but as a large proportion of the public domain in the state has been located with the military land warrants of the government, issued in payment of services rendered by her soldiers in various wars, Mr. Heard claims that such locations should be regarded as sales for cash, and that the state is entitled to five per cent. thereon. These locations cover about eight millions of acres, and the five per cent. of the proceeds of such sales—estimating the land at the price of $1 25 per acre—amounts to $426,000.

The war claims are of two classes: First, those belonging to the state, and, second, those belonging to individuals, which the state is attempting to collect.

By an act of congress of July, 1861, the United States government promised to reimburse the different states for amounts expended by them respectively, in the organization, equipment and maintenance of troops while acting under competent military authority and in concert with the federal troops in suppressing the rebellion, &c. Under that law, a settlement between the state and general government was effected in 1866, by which the state received the amount then shown to have been expended by it up to that date; and it was on account of similar disbursements, subsequently made by the state, that a claim was preferred for the amount not reimbursed by the government. Mr. Heard found a great deal of the evidence relied upon by the state to establish the claims lost or destroyed, and thus an infinite amount of trouble and a large outlay of labor and money were entailed upon him in his attempt to supply, as far as possible, the lost evidence and papers.

The other class of claims, or those belonging to individuals, are those which were, by authority of an act of the legislature, approved March 19, 1874, audited by a commission created by said act, and on account of which audit and allowance, conditional certificates of state indebtedness were issued. These claims have been presented to the government for payment, but, so far, have been refused consideration upon the ground that, even if they are just, the present laws of congress only authorize their examination for settlement after they have been paid by the state, and that the issuance of conditional certificates of state indebtedness is not payment, as contemplated by the law.

Mr. Heard has, through our senators and representatives in congress, procured the introduction of bills looking to the recognition of this class of claims as well as the settlement of the five per cent. claims, which bills are now pending in the respective houses of congress, and Mr. Heard is now in Washington city giving the matter his earnest attention.

The contract made with Mr. Heard provided for a commission of five per cent. on the amount collected on the war claims due the state and fifteen per cent. on the other classes of claims, which are much more uncertain of collection. The commission agreed upon in the contract was paid on the collection made. The fund commissioners have been criticised upon the amount of compensation allowed Mr. Heard in the contract; but it will appear to any man possessing a fair conception of the nature and responsibilities of the position that the allowance is not too liberal. The contract requires the agent to prosecute all of the claims at his own expense, and aside from the immense amount of labor performed by Mr. Heard in the prosecution of his duties, and of the necessarily heavy living and traveling expenses incurred by him, he has paid out more than $2,000 in supplying lost papers and perfecting the evidence necessary to establish the claims already collected. Besides this, he is bound under a $20,000 bond to prosecute to a final determination the remaining claims embraced in his contract, the collection of which depends upon the procurement of congressional legislation, and the ultimate collection of which is problematic, while even the expenditure of a large amount of money and labor in the attempt is certain.

In the collection of the money already received by the state, Mr. Heard performed an immense amount of labor. Upon an examination of the papers and records which constituted the evidence upon which we must rely to establish the state's claim, the prospect was disheartening; but with his characteristic determination and with tireless energy he pursued every possible avenue of information to the end, and, as a proper reward for his diligence and intelligent efforts, the state received the sum above named. In him the state has a worthy representative and her interests will not suffer.

HANNIBAL AND ST. JOSEPH RAILROAD CONTROVERSY.

This administration was inaugurated upon the 10th day of January, 1881, and soon thereafter the fund commissioners, consisting of the governor, auditor and attorney-general—were notified by Wm. Dowd, president of the Hannibal and St. Joseph railroad, that, under the act of 1865, the company proposed paying into the state treasury the sum of $3,000,000 and the accrued interest to the date of the payment, in discharge of the state's statutory lien on the road and equipments. Geo. W. Easley, Esq., represented the road. Several interviews were had between Mr. Easley and the fund commissioners, prior to the payment of the money; but as the details of the preliminary or intermediate controversy are of no special value to the general assembly, I pass them by, and present the material facts. In June, 1881, the Hannibal and St. Joseph railroad company tendered to the fund commissioners the sum of $3,090,000, in payment of what the company claimed to owe the state, for bonds issued by the state, under the acts of 1851 and 1855. The fund commissioners refused to receive that sum as a payment in full, but expressed a willingness to receive and receipt for the same, in part payment of the amount due under the act of 1865. This course was finally adopted, and, on the 20th day of June, the company paid to the state treasurer $3,090,000, of which $90,000 was to be used to pay the interest maturing in ten days thereafter; and the remaining $3,000,000 to pass into the state treasury, to the credit of the company. On the payment of the money, the treasurer executed his receipt to R. G. Ralston, Heman Dowd and Oren Root, trustees, in form as agreed upon between the parties. In order to oblige the company and avoid the cost and danger of transmitting so large a sum of money from New York to Jefferson City and return, the treasurer went to New York and received the money and deposited it in the National Bank of Commerce, in accordance with an arrangement made with the Bank of Commerce, of St. Louis. Subsequent to the payment of the money, Mr. Easley, who represented himself as the attorney of the Hannibal and St. Joseph railroad company, and of certain persons as trustees in the mortgage—executed by the Hannibal and St. Joseph railroad company to the Farmer's Loan and Trust Company, to the amount of $3,000,000—appeared at my office and demanded, under the act of 1865, that I, as governor, execute a release of the statutory lien of the state, created by the acts of 1851 and 1855. This I refused to do, as the company had not, in my opinion, paid the full amount of its liability to the state. The company, claiming that the amount paid covered the whole sum due to the state, instituted a proceeding against the governor, in the supreme court of the state, to compel him to assign to the company's trustees the lien of the state, as provided in the act of 1865. This application having been denied by the court, the company thereupon, filed in the court an application for a mandamus against the treasurer of the state to compel him to amend his receipt and put it in such a form as to fully discharge the company from all further obligations to the state, by reason of the state's loan of its credit to said company. This application was also denied; and the company refusing to pay the interest maturing January 1, 1882, I proceeded to advertise the road and its appurtenances for sale, as provided by the act of 1851. Thereupon the company filed its bill in equity, in the United States circuit court at Jefferson City, alleging that the payment made was a full discharge of the company, and again asking that the governor be ordered and required, by a decree of the court, to assign the state's lien on the road and appurtenances to the trustees, and to enjoin the sale of the road. This court, after a thorough and exhaustive examination of the subject, held that the payment made was not a discharge of the obligations of the company, under the provisions of the several acts, under which the loan of credit was made, and, consequently, refused the injunction. The company, with unflagging zeal to wrong the state, thereupon amended its bill, praying the same relief as originally asked, and, in case that should be denied, asking the alternative relief of a repayment of the $3,090,000. On the final hearing of this bill at Keokuk, Io., by Judge McCrary, an interlocutory decretal order was made, prescribing legal rules, by which the amount due by the company to the state may be ascertained, and referring the whole matter to a master in chancery—Hon. John K. Cravens, of Kansas City—with directions to take an account thereof and report the result arrived at to the court at an early day. In accordance with the agreement of counsel on both sides, sanctioned by the master, testimony has been taken and arguments made before the master by the respective attorneys, and I am informed that the report will probably be made at the adjourned term of the court, to be held in Jefferson City on the first Monday in March next. So far, the courts, state and federal, have uniformly held that the company has not yet discharged its obligations to the state, and the federal courts at each hearing have required the company to pay the matured interest on the bonds. In so doing those courts have sustained the position held by the fund commissioners from the beginning of the controversy, they contending that the amount paid on the 20th day of June, 1881, was not "a sum of money equal in amount to all indebtedness due or owing by said company to the state, and all liabilities incurred by the state, by reason of having issued her bonds and loaned the same to said company as a loan of credit to the state." What that amount is, now forms the question at issue between the state and the company, and must be determined by the federal courts.

This controversy shows the wisdom of that constitutional provision inhibiting the state from "contracting any debt or liability on behalf of the state, or to issue bonds or other evidences of indebtedness thereof, except in renewal of existing bonds, and to create a debt not exceeding $250,000, to meet an unforeseen emergency or casual deficiency," as the liberality of the state has been so often abused by the recipients of its grace. It is a matter of regret that this company, after having so long and so faithfully met its maturing interest on the bonds, should have sought an opportunity under the act of 1865—cunningly drawn, as it was supposed, in the interest of the road—and the advice and direction of hired counsel, to violate the most sacred obligation that can exist between a creditor and debtor. The state, from the beginning, discountenanced the construction placed upon that act by the company, and simply demanded a fulfillment of the obligation nominated in the bond, and at no time has it acted otherwise than justly and leniently with the road, even when reverses and embarrassments surrounded it and almost wrecked its financial existence. No road has asked and received more kindness from the state than the Hannibal and St. Joseph. The more it has been accommodated the more it has demanded. It received from the state, under the act of 1851, $1,500,000 special bonds as a loan of the public credit, redeemable at the pleasure of the legislature any time after the expiration of twenty years from the date of issue; and, again, under the act of 1855, it received the same number of bonds, of the same character, redeemable in thirty years, and, in 1874, upon the urgent application of the road to the legislature, the $1,500,000 bonds, issued under the act of 1851, were renewed for a further term of twenty years. Thus, in fact, receiving from the state $3,000,000 in special loan bonds, redeemable in thirty and forty years—a favor not solicited by or extended to any other company. In consideration of this fact, and upon principles of honor, the road should be slow indeed in attempting to evade its honorable and legal obligations to the power which evoked it into existence. If the company persists in this attempt, it is the duty of the state to resist it to the extreme limit of the law. The protection of the rights of its citizens and the preservation of its high credit, will permit no other course. The state only asks for an equitable adjustment of the difference; one that will not embarrass the road, yet will "save the state harmless" from future liabilities. In all the legal proceedings referred to the state in addition to the very able and faithful services of the attorney-general, has had the services of Messrs. Glover & Shepley, and Henderson & Shields of St. Louis, two distinguished law firms, in whose hands, I confidently believe, the interests of the state will be secure. The labor involved in the defense of the cases has been great and exacting. Much testimony has been taken in New York and Missouri, and the expenses incident thereto have fully consumed the small appropriation made for that purpose. I respectfully submit to you the necessity for an appropriation sufficient to pay the necessary expenses of the litigation and provide a fair compensation for the counsel engaged. It is more than possible that the case may finally reach the supreme court of the United States, which, of course, will materially increase the labor and expense of counsel. The distinguished counsel engaged fully understand that they have no other reliance for remuneration than your own sense of justice and liberality in the premises. They and I feel confident that the general assembly will do full justice to agents who have been zealous in defense of the rights of the state.

OUTLAWRY.

Since the close of the war Missouri has been infested by bands of train and bank robbers, whose lawless deeds not only rendered railroad travel and banking d