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March 26, 2019

Ms. Cynthia T Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: STB Finance Docket No. 35982, Jackson County Missouri-Acquisition
and Operation Exemption - Union Pacific Railroad

Dear Ms. Brown:

Jackson County Missouri may have violated one or more of the following
Limits of Municipal Authority in acquisition and operation of Rock Island Rail
Corridor – Union Pacific Railroad

Missouri Limits to Municipal Authority

https://c.ymcdn.com/sites/www.mocities.com/resource/resmgr/mmaa_handouts/constitutional_limitations_.pptx Constitutional Limits to Municipal
Authority

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Article 6, § 23: Limitation on ownership of corporate stock, use of credit and grants of public funds by local governments

No county, city or other political corporation or subdivision of the state shall own or subscribe for stock in any corporation or association, or lend its credit or grant public money or thing of value to or in aid of any corporation, association or individual, except as provided in this constitution.

Article 6, § 25. Limitation on use of credit and grant of public funds by local governments—pensions and retirement plans for employees of certain cities and counties.

No county, city or other political corporation or subdivision of the state shall be authorized to lend its credit or grant public money or property to any private individual, association or corporation except as provided in Article VI, Section 23(a)...

Art. 10, §3: Limitation of Taxation to public purposes

- “Taxes may be levied and collected for public purposes only ...”
- Actually uses “Public Purpose”; unlike Art. 6, §§ 23 and 25 which do not
- “it is universally agreed that an attempt to raise money by taxation for private purposes is unconstitutional; that it is a taking of property without due process of law; that it violates fundamental principles inherent in free government” *Dysart v. St. Louis*, 321 Mo. 514, 521 (Mo. 1928)

Respectfully submitted,

Electronically Signed

James Frank Abbott

Certificate of Service

I certify that on March 25, 2019, a true copy of the foregoing letter was served via email upon the following parties of record:

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