

AN ACT

To authorize the East River Railroad Company of West Virginia and its successors to extend and operate part or parts of its line in the State of Virginia, to unite, connect, and consolidate with other companies, and to borrow money. Approved February 15th, 1882.

WHEREAS, The East River Railroad Company of West Virginia is authorized to construct its railroad from a point on the East river, on the Virginia State line near the mouth of East river in the county of Mercer and State of West Virginia, thence following the East river to the point on the Virginia State line where the East river crosses the Tazewell county line in this State or near the head of East river;

AND WHEREAS, In the construction and operation of the said road it is necessary to cross the State line of Virginia and extend the said road into this State; therefore,

1. *Be it enacted by the General Assembly of Virginia, That the East River Railroad Company of West Virginia, and its successors, shall have the power and authority to cross the State line into and out of the State of Virginia as often as may be necessary, and to extend, locate, construct, and operate its railroad in this State by any route or routes it may adopt, from either end or both ends of the line in West Virginia, to such point or points in the counties of Giles, Tazewell, Buchanan, and Dickenson as the said company may select; and for the purposes of this act the said company may contract for, purchase, and condemn land, and may acquire and hold real and personal property, and have, possess, and exercise such powers and privileges, not inconsistent with the laws of this State, as may be required to construct and operate such part or parts of its railroad in this State: Provided, however, That as to the part or parts of its road in this State, the East River Railroad Company shall be subject to all the obligations and duties and entitled to all the powers and privileges*

imposed and granted by provisions of the Code of Virginia applicable to railroad companies, except so far as the same may be inconsistent with the provisions of this act.

2. That the said East River Railroad Company shall have the power to consolidate, by change of name or otherwise, with the Norfolk and Western Railroad Company, the New River Railroad Company of Virginia, and with the New River Railroad Company of West Virginia, and for this purpose power is hereby granted to it and to said other railroad companies to make and carry out such contracts of consolidation; but it shall not consolidate with any parallel or competing line without the consent of the General Assembly: *Provided*, That in all consolidations a copy of the agreement shall be filed in the office of the Board of Public Works.

3. That the East River Railroad Company may, from time to time, secure its bonds and other indebtedness by deed or deeds of trust or mortgage, conveying its property, privileges, and franchises, and any railroad company or companies of this State, other than parallel or competing lines, may subscribe and acquire by purchase or otherwise its stock and bonds: *Provided*, said company begin work within two years, and shall complete the main line within five years from the passage of this act, and that this act shall be at any time subject to amendment or repeal by the General Assembly of this State: *And provided*, That the East River Railroad Company, and any company or companies into and with which the same may hereafter consolidate, shall be and shall forever remain subject to the general laws of Virginia and to the jurisdiction of the courts of Virginia, and shall have the right to sue and be sued, and shall forever be liable to be sued in the courts of this State, and for this purpose process may be served on any officer or agent of said company and its successors in any county or corporation of this State where such cause of action against such company may arise.

4. This act shall be in force from its passage.



