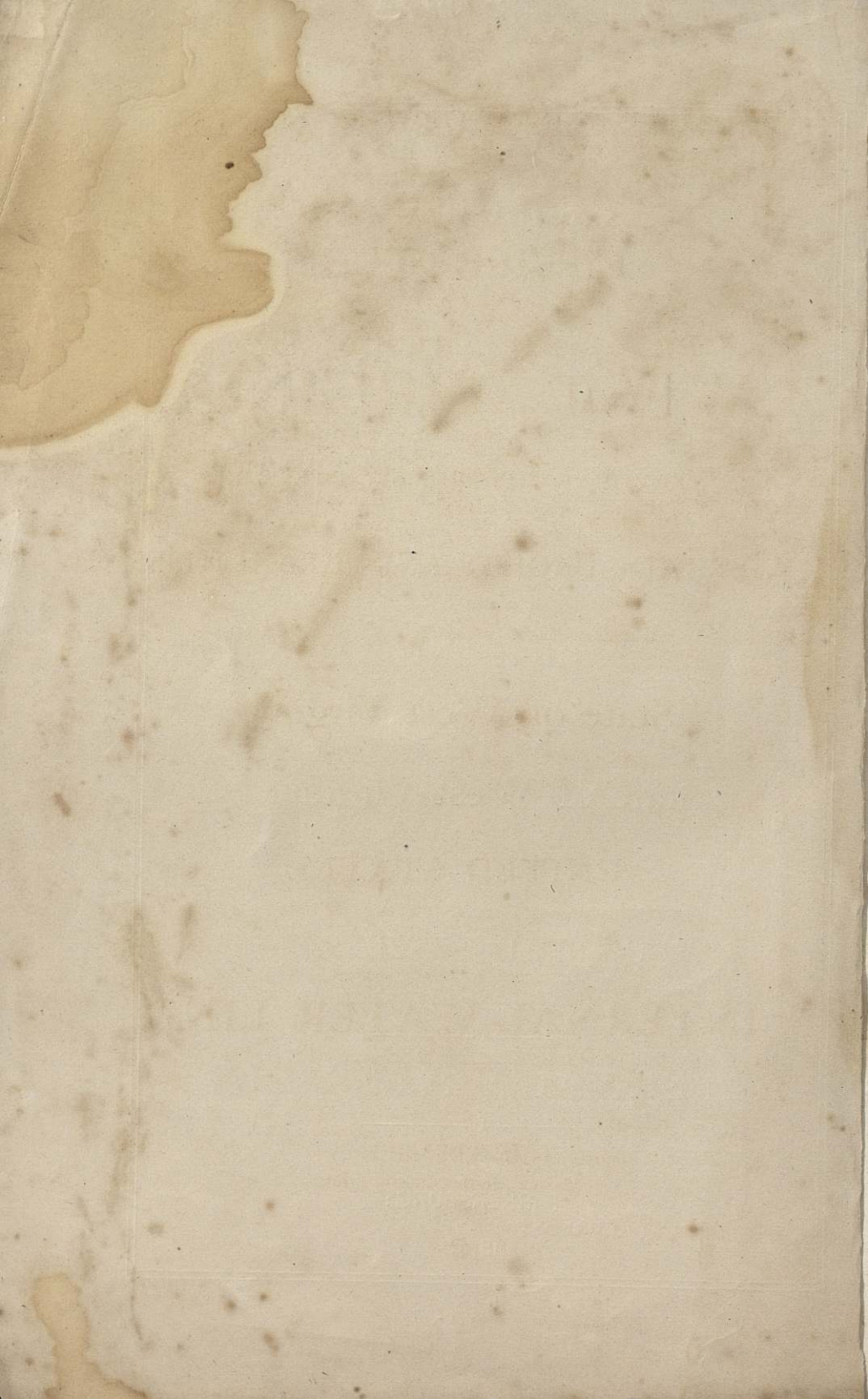


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JOINT RESOLUTION, No. 10,
OF THE
LEGISLATURE
OF
WEST VIRGINIA,
PROVIDING FOR THE TRANSFER OF
CERTAIN RIGHTS AND FRANCHISES
OF THE
State of West Virginia
TO THE
UNITED STATES.

—○—
INTERNAL WATER LINE.
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PARKERSBURG:
Gibbens Brothers, Steam Print.
1874.



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RESOLUTION
OF THE
Legislature of West Virginia.

Joint Resolution, No. 10,

Providing for the transfer of certain rights and franchises of the State of West Virginia to the United States.

WHEREAS, The Congress of the United States recently made an appropriation for a survey, to ascertain whether it was practicable to construct a continuous water line through the State, to connect the waters of the Mississippi Valley with the Chesapeake Bay; and the engineers employed for that purpose, have shown that such a line is practicable; and,

WHEREAS, The State of West Virginia regards the said line as a work of National importance, and is anxious to afford every facility for the construction of the same; Therefore be it

Resolved, by the Legislature of West Virginia:

1st. That the State of West Virginia hereby agrees to transfer all the rights, privileges and franchises, now owned or possessed by the State in the Kanawha River Improvement, and the chutes, dams, wing-dams, channels, and all other work heretofore done in the Kanawha

River, together with jurisdiction in and over the Kanawha River, from its mouth, to the mouth of Gauley River, and over the New River from the mouth of Gauley to the mouth of Greenbrier River, and over the Greenbrier River, from its mouth, to the mouth of Howard and Anthoney Creeks, and from the mouth of said creeks, to the State line, and also the right, power and franchise to construct, maintain and operate a good and substantial through water line, from the mouth of the Kanawha River to the Chesapeake Bay, so far as the said water line shall pass through and be located in this State; *Provided*, That the rights, privileges and franchises herein mentioned, shall never be so exercised, as to affect or impair any right now vested in the Chesapeake and Ohio Railroad Company, by, or under the laws of this State.

2nd. The Board of Public Works is hereby authorized to appoint nine commissioners on the part of the State, one to be chosen from each Judicial Circuit, any five or more of whom may act, to confer and negotiate with any commissioners or persons who may be authorized by law, on behalf of the United States, in regard to a transfer to the United States, of the said rights, privileges and franchises. Three-fourths of the said commissioners, at least, shall consent to any contract or agreement that may be proposed, touching the said transfer.

3rd. That the said commissioners shall, as soon as a contract is proposed to them which they, or three-fourths of them, may deem acceptable and just, transmit it to the Governor of this State, who shall submit the same to the Legislature for their action, if it be in session at the time; and if the Legislature be not then in session, he shall convene it as speedily as possible for that purpose.

4th. That the State of Virginia be respectfully requested to take concurrent action in the matter referred to, in the foregoing resolution, and that a copy of the same, be sent by the Governor of this State to the Governor of Virginia with the request that he lay them before the Legislature of that State.

5th. That a copy of these resolutions be sent to each of the Senators and Representatives in Congress from this State and they be requested to lay the same before Congress; and to the Governors of the following States: Virginia, Maryland, Ohio, Kentucky, Tennessee, Indiana, Illinois, Missouri, Arkansas, Kansas, Iowa, Wisconsin, Minnesota, Nebraska, Pennsylvania and North Carolina.

Adopted December 21, 1872.

STATE OF WEST VIRGINIA, }
 Clerk's Office House of Delegates, }
 Charleston, W. Va., December 22, 1873. }

A true copy from the Records,

Teste;

J. B. PEYTON,
 Clk House Delegates and
 Keeper of the Rolls.

—o—

ORDER OF THE BOARD OF PUBLIC WORKS.

STATE OF WEST VIRGINIA, }
 Office of the Board of Public Works, }
 at Charleston. }

At a meeting of the Board of Public works, held at the office thereof, at Charleston on the 15th day of March, 1873, the following entry was made in the record of

proceedings : "The Board took under consideration the matter of the appointment of commissioners required by Joint Resolution No. 10 of the Legislature, session 1872-3 authorizing the appointment of commissioners to confer and negotiate with any commissioners or persons who may be authorized by law to act for and in behalf of the United States, in regard to a transfer to the United States of the rights, privileges and franchises now owned by the State, in the Kanawha River improvement &c. The following gentlemen were selected and appointed: A. J. Pannell from the 1st Judicial circuit, James Morrow Jr. from the 2d Judicial circuit, Wm. H. Travers, from the 3rd Judicial circuit, Charles F. Scott from the 5th Judicial circuit, Jonathan M. Bennett, from the 6th Judicial circuit, William A. Quarrier, from the 7th Judicial circuit, A. T. Caperton, from the 8th Judicial circuit, and John Douglass from the 9th Judicial circuit. The appointment of a commissioner from the 4th Judicial circuit was deferred until some future meeting of the Board.

And at another meeting of said Board, held in the office thereof, on the 19th day of March 1873, the following entry was made. "On motion, James D. Armstrong was selected and appointed commissioner from the 4th Judicial Circuit, under Joint resolution No, 10 of the Legislature to act with the other commissioners heretofore appointed."

Signed E. A. BENNETT,
President."

DECEMBER 22nd 1873.

I, Charles Hedrick, Secretary of the State of West Virginia, and Ex-officio Secretary of the Board of Public Works, hereby certify that the foregoing paragraphs in quotation marks are true copies from the recods of the Board,

that the record was made at the times above stated, and that no change in the appointments has been made.

C. HEDRICK.

Secretary.

ORGANIZATION OF THE COMMISSION IN
WEST VIRGINIA.

The Commissioners appointed on behalf of this State to provide for the "transfer of certain rights and franchises of the State of West Virginia to the United States," convened in the Senate Chamber of the Capitol, at the city of Charleston on the 16th day of December, 1873. There were present of the Commission, Allen T. Caperton of the county of Monroe, Jonathan M. Bennett of Lewis, John A. Douglass of Mercer, James E. Morrow, jr. of Marion, and Charles F. Scott of Ritchie.

On motion of Mr. Bennett a temporary organization was had by calling Allen T. Caperton to the Chair, and appointing Charles F. Scott, Secretary.

Subsequently the Commission organized permanently by electing Allen T. Caperton, Chairman and Charles F. Scott, Secretary.

Mr. Morrow offered the following Resolutions which were adopted:

Resolved, 1st. That the Chairman be and he is hereby requested to open correspondence at his discretion, with members of Congress, with the committee of the House of Representatives on Commerce and Navigation, or with other persons whenever in his judgment such correspondence will promote the objects for which the Commission was created.

2nd. That the Chairman is authorized and requested to call meetings of this commission at such times and places as he may deem necessary.

3rd That the Secretary transmit to the Senators and Representatives in Congress from this State copies of the proceedings of this meeting, together with a copy of the resolution of the Legislature under which this Commission was created, and a copy of the order of the Board of Public Works made in pursuance of said resolution.

On motion the Commission adjourned.

A. T. CAPERTON,
President.

CHARLES F. SCOTT,
Secretary.

