

claims of any other creditors legally entitled to priority over the Mortgage aforesaid
to the President & Directors of the Board of public works aforesaid: and by the third section
of the said act it was provided that the sale of the said Road should be made by the
Board of public works in all respects (not otherwise before provided for) as provided in
the General Law passed the 18th day of March 1837, and the Board should bid for
the said such piece as they should think they ^{could} ~~obtain~~ ^{obtain} through: And whereas the
Stock holders of the Potomack and Rappahannock Rail Road Company having duly given
their assent to a sale according to the terms of said act: the President and Directors of the
Board of public works in conformity to the provisions of the said act of February 1836
did by their agent sell by public auction on the 1st day of September 1846 before the
Commissioner of Norfolk County in the Town of Portsmouth on the terms ^{conditions} and
provisions set forth in said act all the estate property and effects of every nature and
kind whatsoever and wheresoever situated and being embraced by the Mortgage executed
by the Potomack and Rappahannock Rail Road Company to the President and Directors of the
Board of public works particularly specified in the said act: at which sale the
President and Directors of the Board of public works by their agents aforesaid became the
purchasers of all the said estate property and effects embraced by the Mortgage aforesaid
and by such purchase ^{the said} ~~the said~~ became & have become public and corporate by the name
and style of "the Seaboard and Rappahannock Rail Road Company" and entitled to hold and
enjoy and occupy the Road and all the other property and effects of every nature and
kind of the Potomack and Rappahannock Rail Road Company with all the franchises rights
privileges and immunities granted to and conferred upon it any time theretofore by this State
and the State of North Carolina in as ample & manner as the Legislature could transfer
them subject in all respects and in every thing to all the duties regulations and penalties
required prescribed and enjoined by any Law or Laws then in force respecting the Potomack
and Rappahannock Rail Road Company and subject to the provisions of the act of the General
Assembly entitled "an act prescribing certain general regulations for the incorporation of
Rail Road Companies" passed March 11th 1837: And whereas the President and Directors
of the Board of public works by the name and style of the "Seaboard and Rappahannock Rail
Road Company" did by an Indenture dated the 3rd of September 1846 duly recorded
in the Clerk's Office of Norfolk County Courts upon certain terms conditions and stipulations in
said Indenture mentioned have devised grant and to have let unto the Trustees of Potomack
and their successors all the estate property and effects of every nature and kind whatsoever
and wheresoever situated or being so purchased and acquired by them under the sale aforesaid
together with all the ^{franchise} rights privileges and immunities so acquired by and vested in the said
Seaboard and Rappahannock Rail Road Company subject to the duties regulations and penalties
prescribed by law from the said eighth day of September 1846 for and during and unto the full
and term of seven calendar months from thence that morning and fully to be complied
and ended by the then next session of the General Assembly of Virginia should not the
same assent and be at an end all which will more fully and at large appear by reference
to the said deed: And whereas by virtue of an act of the General Assembly entitled
"an act to authorize a loan of the Seaboard and Rappahannock Rail Road Company to the
Trustees of Potomack and the city Councils of Norfolk jointly and authorize a subsequent
sale of the Road to the same parties" passed March 18th 1847 the Board of public
works in their capacity of President and Directors of the Seaboard and Rappahannock Rail Road
Company did by Indenture dated the 28th day of May 1847 recorded in the Clerk's
Office of Norfolk County upon certain terms conditions and stipulations therein mentioned
have devised grant and to have let unto the said Trustees of Potomack and their successors