

STATE OF KENTUCKY

FLOYD COUNTY COURT.

THE ELKHORN & BEAVER VALLEY  
RAILWAY COMPANY,

PLAINTIFF.

-Against-

DELLA OSBORN, and  
LEE OSBORN, her husband,

DEFENDANTS.

*Harkins & Harkins  
Attorneys & Counsellors  
Prestonsburg, Ky.*

TO THE HONORABLE JUDGE OF THE FLOYD COUNTY COURT:-

The Elkhorn & Beaver Valley Railway Company, applicant and petitioner herein, represents and states to this Honorable Court as follows:-

That it is a corporation duly organized and created under the laws of the state of Kentucky, and particularly under and in pursuance of Article 5, Chapter 171, of an Act of the General Assembly of the Commonwealth of Kentucky, entitled "An Act providing for the creation and regulation of private corporations, approved April 5, 1893, and acts amendatory thereof." That as such corporation and in its corporate name, The Elkhorn & Beaver Valley Railway Company, it is authorized to sue and be sued, contract and be contracted with, and to construct and operate a line of railroad from the intersection with the Chesapeake & Ohio Railway Company at Allen, in Floyd county, and state of Kentucky, through the county of Floyd, along the waters of main Beaver and of Right fork of Main Beaver, and route as surveyed and located by the engineers of the said Elkhorn & Beaver Valley Railway Company, and for that purpose to purchase or otherwise acquire and hold all such