

ACTS  
OF THE  
LEGISLATURE  
OF  
WEST VIRGINIA,  
AT ITS  
EIGHTEENTH REGULAR SESSION,  
COMMENCING  
January 12, 1887.



CHARLESTON:  
MOSES W. DONNALLY, PUBLIC PRINTER.  
1887.

# ERRATA.

Page 7, chapter 4, amended section 1, for "James William Kyndendall" read "James William Kyndendall."

Page 78, section 47, line 8 of said section, for "herein" read "therein."

Page 83, lines 4 and 5 of amended section 1, for "or solicit or receive for or keep in his possession for another" read "or solicit or receive orders for or keep in his possession for another."

Page 91, section 21, line 5, from top of page, for "twenty-first section" read "twenty-third section."

Page 137, line 9 of section 5, for "herein" read "therein."

Page 181, lines 5 and 6 of section 5, for "pooclamation" read "proclamation."

Page 192, line 4 of section 4, for "dy" read "by."

Page 198, line 1 of section 25, for "on" read "uo."

Page 250, section 3 of chapter 8, in line 3, from top of page, for "one thousand eight hundred and eighty-nine" read "one thousand eight hundred and eighty-eight."





# ACTS OF 1887.

## CHAPTER I.

AN ACT to amend and re-enact section thirteen, of chapter one, of the Acts of 1881, entitled "An Act fixing the time for holding the circuit courts in the several judicial circuits in the State," as amended and re-enacted by section one, of chapter seven, Acts of one thousand eight hundred and eighty-two.

[Passed January 29, 1887.]

Be it enacted by the Legislature of West Virginia:

1. That section thirteen, of chapter one, of the Acts of one thousand eight hundred and eighty-one, as amended and re-enacted by section one, of chapter seven, of the Acts of one thousand eight hundred and eighty-two, be amended and re-enacted so as to read as follows: Acts 1882 amended.

13. The circuit courts for the several counties of the thirteenth judicial circuit, shall hereafter commence and be held as follows: Circuit courts; commencement of terms of, in 13th circuit.

For the county of Morgan, on the first Tuesday in January, the first Tuesday in April, and the second Tuesday in August. Morgan county.

For the county of Jefferson, on the second Tuesday in February, on the third Tuesday in May, and on the third Tuesday in November. Jefferson.

Berkeley.

For the county of Berkeley, on the second Tuesday in January, on the second Tuesday in April, and on the second Tuesday in September.

[Approved February 17, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER II.

AN ACT to amend the charter of the Odd Fellows' Hall Association, of the city of Wheeling, by amending and re-enacting the ninth section of an act of the General Assembly of Virginia, entitled, "An act to incorporate the Odd Fellows' Hall Association, of the city of Wheeling, passed February twenty-first, one thousand eight hundred and fifty-six, as amended and re-enacted by an act of said General Assembly, passed March fifteen, one thousand eight hundred and fifty-eight, and by legalizing and validating the action of the trustees of said association in increasing the par value of the stock in said association.

[Passed January 29, 1887.]

Be it enacted by the Legislature of West Virginia :

Odd Fellows  
Hall Associa-  
tion; sec. 9 of  
act 1858, Genl.  
Assembly of  
Va., in relation  
to, amended.

1. That the ninth section of the act of the General Assembly of Virginia, entitled, "An act to incorporate the Odd Fellows' Hall Association, of the city of Wheeling," passed February twenty-first, one thousand eight hundred and fifty-six, as amended and re enacted by an act of the said General Assembly passed March fifteen, one thousand eight hundred and fifty-eight, be amended and re-enacted so as to read as follows :

Limit to stock. "9. No one shall acquire or hold by subscription or purchase from other stockholders, or both, either directly or indirectly, more than one hundred and twenty-five

shares of the capital stock of said association. The presence of a majority in interest of the stockholders shall be necessary to constitute a general meeting. The presence and vote of the stockholders may be in person or by proxy, but such proxies to be legal must be in writing and in such form as the by-laws shall provide. One week's notice, at least, shall be given of all general meetings of the stockholders, by advertisement in some newspaper printed in the city of Wheeling. At all meetings of the stockholders of said association each stockholder shall be entitled to one vote for every share of stock owned by him; such vote to be given either in person or by proxy."

Quorum.

Presence and vote of stockholders may be in person or by proxy.

What necessary to make proxy legal.

Notice of the general meetings.

Scale of votes.

How vote given.

2. The action of the trustees of said association on the seventeenth day of May, one thousand eight hundred and seventy-six, increasing the par value of the shares of the capital stock of said association from twenty dollars per share to forty dollars per share, is hereby ratified, legalized and made valid, and the par value of such shares shall remain at the sum of forty dollars each until changed in pursuance of law.

Action of trustees increasing par value of stock legalized and made valid.

Par value of shares to remain until changed; how.

3. All acts and parts of acts, in so far as in conflict with this act, are hereby repealed.

Inconsistent acts repealed.

[Approved February 17, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

### CHAPTER III.

AN ACT to provide for the study of the nature of alcoholic drinks and narcotics, and of their effects upon the human system, in connection with the subject of physiology and hygiene, by the pupils in the public schools of the State of West Virginia.

[Passed February 4, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That the nature of alcoholic drinks and narcotics,

Study of nature of alcoholic drinks and narcotics, their effects, etc., provided for in public schools; also physiology and hygiene.

and special instruction as to their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene, shall be included in the branches of study taught in the common or public schools, and shall be taught as thoroughly and in the same manner, as other like required branches are in said schools, to all pupils in all said schools throughout the State.

Duty of school officers.

Penalty for failure or neglect.

2. It shall be the duty of the proper officers in control of any school described in the foregoing section to enforce the provisions of this act; and any such officer, school director, committee, superintendent, or teacher who shall refuse or neglect to comply with the requirements of this act, or shall neglect or fail to make proper provisions for the instruction required and in the manner specified by the first section of this act, for all pupils in each and every school under his jurisdiction, shall be removed from office, and the vacancy filled as in other cases.

Examination teachers required to pass; when.

3. No certificate shall be granted to any person to teach in the public schools of the State, after the first of January, anno domini eighteen hundred and eighty-nine, who has not passed a satisfactory examination in physiology and hygiene, with special reference to the nature and the effects of alcoholic drinks and narcotics upon the human system.

[Approved February 17, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER IV.

AN ACT to amend and re-enact sections one and two of chapter two hundred and sixty-seven of the Acts of the General Assembly of Virginia, passed February twenty-sixth, one thousand eight hundred and fifty, entitled "An act to incorporate the Olivet Cemetery Company at Moorefield, in the county of Hardy," and to amend said chapter by adding section seven of this Act thereto.

[Passed February 5, 1857.]

Be it enacted by the Legislature of West Virginia :

1. That sections one and two, of chapter two hundred and sixty-seven of the Acts of the General Assembly of Virginia, passed February twenty-sixth, one thousand eight hundred and fifty, be amended and re-enacted so as to read as follows : And that said chapter be amended by adding section seven of this Act thereto.

Sections 1 and 2, chapter 267 (Gen. As'ly Va. and re-enacted.

Section 7 added.

"1. That Samuel A. McMechen, J. William Gilkeson, John J. Chipley, E. H. Shearer, R. A. Wilson, John W. Inskeep, John Daniels, James William Knykendall, E. Lee Allen, John T. Vanmeter, William K. Chambers, Homer S. Carr, John C. Fisher, John P. Slyer and Samuel J. Hetzel, their successors and associates, shall be and are hereby created and made a body politic and corporate in law, under the name and style of 'the Olivet Cemetery Company,' and by that name and style shall be able and capable in law to have and use a common seal, to contract and be contracted with, to sue and be sued, to plead and be impleaded, and to do and perform all such other things as incident to a body politic and corporate.

Olivet Cemetery Company incorporated.

Corporate powers.

"2. The said company shall have the right to acquire by purchase, or gift, and to hold near the town of Moorefield, in the county of Hardy, land not exceeding twenty acres in quantity, for the purpose of said cemetery, and shall have power to lay out and ornament the same, to erect such buildings, to arrange burial lots, and to make and enforce by reasonable fines and penalties such by-laws, rules and regulations for the government of the establishment as it shall judge best. *Provided*, That the same be not contrary to the Constitution and laws of the United States or this State.

May hold real estate; limited.

For what purpose.

Powers over cemetery grounds and buildings.

Moore's old police regulations extended to.

7. That the police regulations of the town of Moorefield shall extend to and be in force over said land and all its appurtenances.

[Approved February 17, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER V.

AN ACT to amend and re-enact sections thirteen and fourteen, of chapter thirty-one of the code of West Virginia of one thousand eight hundred and sixty-eight, as amended and re-enacted by chapter one hundred and seventeen, of the acts of one thousand eight hundred and seventy-two-three and by chapter one hundred and thirty, of the acts of one thousand eight hundred and eighty-two.

[Passed February 6, 1887]

Be it enacted by the Legislature of West Virginia :

Chapter 190,  
acts 1882  
amended.

1. That sections thirteen and fourteen, of chapter thirty-one of the code of West Virginia of one thousand eight hundred and sixty-eight, as amended and re-enacted by chapter one hundred and seventeen, of the acts of one thousand eight hundred and seventy-two-three, and by chapter one hundred and thirty, of the acts of one thousand eight hundred and eighty two, be amended and re-enacted so as to read as follows :

Affidavit to be  
appended to re-  
turn.

13. There shall be appended to such list an affidavit in form or effect as follows :

Form of affida-  
vit

" I, A. B., sheriff (or collector or deputy for C. D., sheriff or collector) of the county of \_\_\_\_\_, do swear that the above list contains a true account of all the real estate within my county which has been sold by me, as well as a list of all the real estate redeemed

and the names of the persons who redeemed the same during the present year, for the non-payment of taxes thereon for the year——, and that I am not now, nor have I at any time been, directly or indirectly interested in the purchase of any of said real estate, so help me God." Which oath shall be subscribed and taken before some person authorized to administer oaths.

14. The lists of the sale and redemption of lands with the certificate of oath attached shall, within thirty days after the completion of such sale, be returned to the clerk of the county court, who shall within twenty days thereafter, record the same in a well bound book, and transmit the original list of sales to the auditor. And if any sheriff or other officer whose duty it is to make out and return such list, shall fail or refuse to do so as herein required, he shall be guilty of a misdemeanor and fined not less than fifty nor more than five hundred dollars; and he and his securities in his official bond shall be liable in an action on said bond for all such damages as may be sustained by any person by reason of such failure; and such sheriff or other officer may upon the petition of any person interested be compelled by mandamus to make out and return such list and the proceedings thereon shall be at his cost.

Lists of sale and redemption to be returned and recorded; within what time.

Clerk shall transmit original to auditor.

Penalty for failure of officer to make and return lists.

May be compelled by mandamus to make and return such lists.

[Approved February 17, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER VI.

AN ACT to amend and re-enact sections seventy-eight, eighty and eighty-two of chapter forty five, of the code of West Virginia, concerning education, as amended and re-enacted by chapter fifteen, of the acts of eighteen hundred and eighty-one.

[Passed February 11, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That sections seventy eight, eighty and eighty-two,



Sections 78, 80 and 82 acts 1881 amended.

of chapter forty-five, of the code, as amended and re-enacted by chapter fifteen of the acts of eighteen hundred and eighty-one, be and the same are hereby amended and re-enacted so as to read as follows :

Board of regents, West Virginia University; how constituted; term of office of members.

Powers conferred upon board.

A majority, a quorum for the transaction of business, except, &c.

Regents to be notified of time, place and object of meeting; how.

Concurrence of a majority necessary.

Terms of present board not affected hereby.

When, in what manner and what members to retire annually from board.

Vacancies: filled.

Board to declare and establish rules and regulations, etc.

78. For the government and control of the said university there shall be a board of regents consisting of one person from each senatorial district, to be appointed by the governor, as provided by law, to be called the "Regents of the West Virginia University." As such board they may sue and be sued, and have a common seal. The said board shall have the custody and control of the property and funds of the university, except as otherwise provided by law. They shall have power to accept from any person or persons any gift of money or property intended for the use of the university, and shall, by such acceptance, be trustees of the funds which may come into the possession or under the control of said board by such gift, and shall invest and hold such funds and property, and apply the proceeds in such manner, as the donor may prescribe by the terms of his gift. A majority of said regents shall constitute a quorum for the transaction of business; except, that for making arrangements for the erection of buildings, or the permanent alteration thereof, or the appointment to or removal from office of professors, or fixing their compensation, or changing any rule or regulation adopted by a majority of the board, in which cases all the regents shall be notified in writing by the secretary of the board, of the time, place and object of any meeting proposed to be held for any of the purposes excepted in this section, and the concurrence of a majority of the regents shall be required. The term of office of the members of the present board of regents shall be in no wise affected by this act. On the thirtieth day of June, annually, two of the regents in office shall retire from said board. Those appointed from the sixth and seventh senatorial districts shall retire on the thirtieth day of June, one thousand eight hundred and eighty-seven, those of the eighth and ninth districts, at the expiration of the following term, and so on in continuous rotation, following the order in which the said senatorial districts are numbered respectively. Vacancies in said board shall be filled by the governor as they occur, according to the foregoing regulations, or from any other cause.

80. The said board shall establish and declare such rules and regulations and by-laws, not inconsistent with the laws of this State or of the United States, as they may deem necessary for the proper organization, the

tuition of students and good government of said university and the protection of public property belonging thereto. They shall appoint a superintendent of buildings and grounds, a secretary for said board and also a treasurer, who shall be members of the faculty of the university, and shall not receive any compensation for services as such superintendent, secretary and treasurer. No salary shall be paid to the secretary of the executive committee. From the said treasurer they shall take a bond with ample security, and conditioned according to law, for the faithful keeping and disbursing such money as is herein or may be hereafter appropriated, and such other money as may be allowed by said board to come into his hands from time to time; they shall also settle with him annually, or oftener, if they think best; inspect annually all the property belonging to said university, and make a full report of the condition, income, expenditures and management of said university, annually, to the governor, to be by him laid before the legislature.

To appoint superintendent of buildings and grounds.

Also a secretary and treasurer. No compensation allowed any such appointee.

Bond of treasurer.

Power to settle with treasurer, annually or oftener.

To inspect property annually.

To make annual report to the governor.

§2. Besides prescribing the general terms upon which students may be admitted, and the course of their instruction, the said regents are still further empowered to admit as regular students or cadets of said university, from each senatorial district in the State, not more than eight young men who are not less than sixteen, nor more than twenty-one years of age, whose term of service shall not be less than two nor more than five years, to be appointed by the regents of each senatorial district; the admission in each case to be made upon the undoubted evidence of a fair, moral character. But should no application be made from any one or all of said senatorial districts then the vacancies may be filled from the State at large. Provided, That no more than five cadets shall be appointed from any one county.

Powers of board as to admission of cadets.

Number from each senatorial district

Term of service.

How appointed.

To be of fair moral character. May be appointed from the State at large; when. Number from any county limited.

[Approved February 17, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER VII.

AN ACT to amend and re-enact an act to authorize the county of Jefferson to fund at a lower rate of interest or on better terms the outstanding bonds of said county, passed March second, one thousand eight hundred and eighty-one.

[Passed February 17, 1887.]

Be it enacted by the Legislature of West Virginia :

Act of March 2,  
1881, amended.

1. That the act to authorize the county of Jefferson to fund at a lower rate of interest or on better terms the outstanding bonds of said county, passed March second, one thousand eight hundred and eighty-one, be amended and re-enacted so as to read as follows :

Jefferson county authorized to issue bonds; amount of.

Rate of interest; when payable.

Form of, and denominations.

When bonds payable.

1. That the county of Jefferson is hereby authorized to issue not exceeding one hundred and twenty thousand and five hundred dollars in bonds of said county, registered or coupon, bearing a rate of interest not greater than five per centum per annum, payable annually or semi-annually; said bonds to be of such form as the county court of said county may prescribe, and of the denominations of one hundred dollars, or multiple thereof, and payable not less than twenty nor more than thirty-four years after date.

Bonds, if so provided, to be exempt from taxation for certain purposes.

Coupons to be received for what.

2. That said bonds, if so provided on the face thereof by the said court in issuing the same, shall be exempt from assessment for county, districts or municipal levies; and the coupons thereof receivable for all county, or district levies, assessments, claims or demands due said county of Jefferson.

County court may exchange bonds issued under this act for those issued under former act; since when; to what extent.

Expense of exchange, etc., limited.

3. The county court of said county is hereby authorized to exchange at par the bonds issued under this act, as now amended, for any or all bonds issued under this act before its amendment, and since the first day of April, one thousand eight hundred and eighty-six, not to exceed the amount named in the first section hereof; such substitution and redemption to be provided for by the county court at an expense not to exceed three hundred dollars.

Increase of bonded debt not authorized.

4. Nothing in this act contained shall authorize any increase of the bonded debt of said county, nor shall the bonds issued under this act, or the proceeds of sale

thereof, be used or applied for any other purpose than the payment and redemption of the outstanding bonds of said county, hereinbefore mentioned.

For what purpose proceeds of sale of bonds to be applied.

[Approved February 18, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER VIII.

AN ACT extending the times within which railroad companies organized since the first day of June, one thousand eight hundred and eighty, may commence the construction of their roads, if such construction has not already commenced, and spend thereon ten per cent. of the capital actually subscribed, and complete their roads and put them in operation.

[Passed February 16, 1887.]

Be it enacted by the Legislature of West Virginia :

1. Any railroad company organized under the laws of this State since the first day of June, one thousand eight hundred and eighty, which shall have complied with section eight, of chapter twenty, of the Acts of one thousand eight hundred and eighty-five, or which shall hereafter be relieved pursuant to law from forfeiture of its charter by reason of its having heretofore failed to comply with such section, and which shall commence the construction of its road within one year after the passage of this act, or which shall have heretofore commenced, and shall within three years after the passage of the same, actually and in good faith spend thereon ten per cent. of its capital stock actually subscribed, and shall within six years after the passage of this act complete its railroad and put it in operation, then and in every such case, the corporate existence, franchises and power of such railroad company shall be and remain the same as though the provisions of section sixty-six of chapter seventeen of the acts of one thousand

Time extended in which railroad companies organized after a certain time, may, if certain provisions be complied with, be relieved from forfeiture.

To begin construction; when.

If begun, to expend ten per cent.; when.

To complete road within what time.

Not liable to forfeiture, etc.

Forfeiture for non-compliance with all the provisions of this act.

Inconsistent acts repealed.

and eight hundred and eighty one, had been fully complied with by such company, and no forfeiture nor judgment of ouster shall be rendered against said company, by reason of its failure to comply with said section. But if any of said railroad companies shall not commence the construction of its road within one year after the passage of this act or shall not have heretofore commenced such construction and shall not expend thereon ten per cent. of the amount of its capital actually subscribed, within three years from the passage of this act, or shall not finish its railroad and put it in operation within six years from the passage of this act as aforesaid, its corporate existence and powers shall cease.

2. All acts and parts of acts coming within the purview of this act, and inconsistent therewith, are hereby repealed.

[Approved February 24, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER IX.

AN ACT to amend the charter of the Wheeling Hospital, so as to change the name from "Wheeling Hospital" to "Wheeling Hospital and Orphan Asylum," and increase the capital stock thereof to one hundred thousand dollars, and give it the same rights, powers and privileges accorded corporations of like character incorporated under the general laws of this State.

[Passed February 16, 1887.]

Be it enacted by the Legislature of West Virginia :

Chapter 314, acts general assembly of Virginia, 1855-6, amended.

1. That sections one and two, of chapter two hundred and sixty-five, of the Acts of the General Assembly of Virginia, of one thousand eight hundred and forty-nine and fifty, (incorporating the Wheeling Hospital) as

amended and re-enacted by chapter three hundred and fourteen, of the Acts of the General Assembly of Virginia, of one thousand eight hundred and fifty-five and six. is hereby amended and re-enacted so as to read as follows :

1. The holders of the stock heretofore subscribed for in the corporation created by this act, now amended, and of the stock hereafter authorized to be subscribed for, are hereby constituted, made and continued a body politic and corporate by the name of "Wheeling Hospital and Orphan Asylum," for the purpose of establishing, keeping and carrying on an orphan asylum and hospital in or near the city of Wheeling; and also, a pest house or hospital for persons having contagious or infectious diseases, without the said city, and in the county of Ohio, and by that name shall have perpetual succession, and may sue and be sued, contract and be contracted with, have and use a common seal, and acquire, own, use, manage and dispose of lands, tenements and other property, and shall have the same rights, powers and privileges of corporations of like character incorporated or formed under the general laws of this State. *Provided*, That the said body politic shall not own at any one time more than three acres of land in said city, nor more than one hundred acres in said county, without said city, nor any land elsewhere; and provided it shall not keep or maintain within said city, any person having a contagious or infectious disease.
2. The capital stock of said body politic shall be not more than one hundred thousand dollars, and shall be in shares of twenty-five dollars each. (the shares heretofore subscribed for being hereby divided into shares of twenty-five dollars each), which shares shall be deemed personal estate to all intents and purposes, and shall be transferable on the books of the corporation as the by-laws shall prescribe.

Wheeling Hospital, etc., incorporated.

Corporate name.  
Authorized to keep an orphan asylum and pest house.

Corporate powers.

Real estate limited.

Not to keep in city persons having contagious disease.

Capital stock; limited.

To be personal estate.

Transferable; how.

[Approved February 23, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER X.

AN ACT to reform, alter and modify the county court of the county of Preston, under the twenty-ninth section of the eighth article of the Constitution of this State.

[Passed February 18, 1887.]

Be it enacted by the Legislature of West Virginia :

County of Preston, to be laid off into districts. Present districts to continue until changed by court, &c. County court reformed, altered and modified.

County court to be composed of eight Commissioners. Each district to elect one. Justice of the peace cannot be commissioner.

Compensation, how paid.

Provision for election of commissioners.

Commencement and duration of term of office.

General law as to county courts applicable.

Provision as to its clerk

What number a quorum.

1. The county of Preston, shall be laid off into eight districts as nearly equal as may be in territory and population. The present divisions of said county into districts, shall constitute such districts until changed by the county court, hereinafter mentioned, and according to law. The county court established in the said county by the eighth article of the Constitution of this State, is hereby reformed, altered and modified, that is to say : The county court of the county of Preston, shall be composed of eight commissioners. The voters of each district shall elect one commissioner, who shall be a resident of such district. Should any commissioner remove from the district of which he was a resident at the time of his election, his office shall thereby become vacant. The office of commissioner and of justice of the peace, shall be deemed incompatible. Each commissioner shall receive for his service two dollars for each day he shall attend the court, to be paid out of the county treasury.

2. At the general election in the year eighteen hundred and eighty-eight, and at each succeeding general election, there shall be elected by the voters of each of said districts one commissioner, whose term of office shall commence on the first day of January, next after his election, and continue for two years.

3. So far as they are not inconsistent herewith, all the provisions of chapter thirty-nine, of the Code of West Virginia, "concerning county courts, their jurisdiction and powers," and all provisions of law respecting county courts generally, the commissioners composing such courts, and the clerks of such courts, shall be applicable to the county court herein provided, and to the commissioners composing the same; and the clerk of the county court of Preston county, now in office, and his successors, shall be clerk of the county court herein provided. A majority of such commissioners shall be a quorum for the transaction of business.

4. The first meeting of the county court herein provided, shall be held on the first Monday of January, in the year eighteen hundred and eighty-nine, or as soon thereafter, as a majority of them may assemble for the purpose, at which time, and annually thereafter, at their first meeting in each year. or as soon thereafter as practicable, they shall elect one of their number president of the court.

Their first meeting; when to hold.

To meet annually.

To elect a president.

5. At the general election in the year eighteen hundred and eighty-eight, the question of the adoption of the system provided by this Act, shall be submitted to the voters of the county of Preston, voting at such election. Notice of such election shall be given by the publication of this Act, in each weekly newspaper published in said county, once in each week for two successive weeks. Those voting for said system shall have written or printed on their ballots the words, "For modification of county court," and those voting against it, shall have written or printed on their ballots the words, "Against modification of county court."

Adoption of system hereby created to be submitted vote of the people; when.

Notice to be given; in what manner.

Ballots; what written or printed thereon.

6. Such election, at each place of voting, in said county, shall be superintended, conducted and returned by the same officers and in the same manner as the election of members of the Legislature is superintended, conducted and returned, and the result at each place of voting, shall be certified and returned to the county court now in existence in Preston county. Said court shall convene in special session as provided in chapter three. section twenty-one, of the Code of West Virginia, and shall in all respects be governed by the laws in relation to elections by the people, so far as they are applicable thereto.

Election; by whom conducted, &c.

Result; how certified and returned.

Duty of present court in relation thereto.

7. If a majority of the votes cast upon the question be "For modification of county court," this Act shall be, and remain in full force and effect, but if a majority of such votes be "Against modification of county court," this Act shall be of no further force or effect.

Provision as to effect of of this act, in case of adoption or rejection thereof.

[Approved February 23, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.



## CHAPTER XI.

AN ACT to prevent the employment of minors, under twelve years of age, in factories, workshops, manufactories, mines, &c.

[Passed February 19, 1867.]

Be it enacted by the Legislature of West Virginia :

Minors under 12, who cannot read and write not to be employed in mines, factories, &c.

Managers, etc. to prevent violations of this act.

Who liable to punishment for violation.

Allowing such persons to work a violation.

Penalty.

1. That no minor, under twelve years of age, who can not read and write, shall be employed in any mine or in any factory, workshop, manufactory or establishment where goods, or wares, are manufactured ; and in all cases of minors applying for work, it shall be the duty of the manager, superintendent, foreman or operator to see that the provisions of this section are complied with.

2. Any manager, superintendent, foreman, or operator of such mine, factory, workshop, manufactory or establishment, and parents or guardians, allowing a child, under twelve years of age, to work in violation of section first of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars nor more than twenty dollars, for each and every such offense.

(Approved February 23, 1867.)

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XII.

AN ACT to amend and re-enact section one, of chapter one hundred and nineteen, of the code of West Virginia, in relation to licensing attorneys-at-law.

(Passed February 21, 1867.)

Be it enacted by the Legislature of West Virginia :

1. That section one, of chapter one hundred and nine-

teen, of the code of West Virginia, be amended and re-enacted to read as follows:

Section 1 of chapter 119, of the Code, amended.

1. Any person desiring to obtain a license to practice law in the courts of this State, must appear before the county court of the county in which he has resided for the last preceding year, and prove to the satisfaction of such court that he is a person of good moral character, that he is twenty-one years of age, and that he has resided in such county for one year next preceding the date of his appearance; and upon such proof being made, the court shall make and enter an order on its record accordingly. And any three judges of the courts of this State, may, upon the production of a duly certified copy of such order, and after a full and thorough examination of the applicant upon all the various branches of the law, a knowledge of which is necessary in the practice thereof in this State, if they find him duly and sufficiently qualified to practice law in the courts of this State, grant him a license in writing to do so; and such license shall show upon its face that all the provisions of this section have been fully complied with. *Provided*, That any person who shall produce a duly certified copy of such order of any county court of this State, and also a diploma of graduation from the law school of the West Virginia University, shall upon presentation thereof, in any of the courts of this State, be entitled to practice law in any and all courts of this State; and the order so admitting him shall state the facts pertaining to the same.

To obtain license to practice law; what necessary.

Residence in State, how long.

Good moral character.

Age, Residence in county.

What order court to make and enter.

Examination; by whom.

Extent of examination.

Shall grant license, when.

To show on its face, what.

A persons producing certificate, and diplomas from law school, West Virginia University, to be admitted to practice in any court.

Order admitting, to show the facts.

(Approved February 24, 1887.)

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

### CHAPTER XIII.

AN ACT to amend and re enact section nineteen, of chapter one hundred and forty-nine, of the code of West Virginia, as amended and re-enacted by section nineteen, of chapter one hundred and twenty-three, of the acts of one thousand eight hundred and eighty-two.

(Passed February 21, 1887.)

Be it enacted by the Legislature of West Virginia:

1. That section nineteen, of chapter one hundred and

Section 18,  
chapter 123  
Acts 1882,  
amended.

Schools, libra-  
ry societies,  
etc.; disturb-  
ance of; how  
punished.

forty-nine, of the code of West Virginia, as amended and re enacted by section nineteen, of chapter one hundred and twenty-three, of the acts of one thousand eight hundred and eighty-two, and the same is hereby amended and re-enacted so as to read as follows :

19. If a person wilfully interrupt, molest or disturb any free school or other school, literary society or any other society formed for intellectual, social or moral improvement, organized or carried on under or in pursuance of the laws of this state, or any Sunday school, or other school, or school exhibition, or any society lawfully carried on, he shall be guilty of a misdemeanor, and fined not less than ten, nor more than fifty dollars, or at the discretion of the court, be confined in the jail of the county not more than thirty days, in addition to said fine.

[Approved February 24, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

#### CHAPTER XIV.

AN ACT to amend and re enact chapter two hundred and fifty-two, of the acts of one thousand eight hundred and thirty-nine-forty, of the General Assembly of Virginia, as amended and re-enacted by chapter two hundred and seventy-two of the acts of one thousand eight hundred and fifty-five-six, of the General Assembly of Virginia, and as further amended and re-enacted by chapter one hundred and eighty-seven, of the acts of one thousand eight hundred and fifty-nine-sixty, of the General Assembly of Virginia.

[Passed February 21, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That chapter two hundred and fifty-two of the

acts of one thousand eight hundred and thirty-nine-forty, of the General Assembly of Virginia, as amended and re-enacted by chapter two hundred and seventy-two of the acts of one thousand eight hundred and fifty-five-six of the General Assembly of Virginia, and as further amended and re-enacted by chapter one hundred and eighty-seven, of the acts of one thousand eight hundred and fifty-nine-sixty, of the General Assembly of Virginia, be amended and re-enacted so as to read as follows:

Wellsburg; Acts of General Assembly of Virginia concerning, amended.

*Boundaries of the City.*

1. The boundaries of the city of Wellsburg, shall be and continue the same as the present boundaries of the town of Wellsburg, except that the western boundary shall include all that portion of the Ohio river lying opposite the corporate limits of said city, and the jurisdiction of said city shall extend to and include the tract of land conveyed to Mahala Tyers by Ann H. Crothers, by deed dated December nineteenth, one thousand eight hundred and eighty-one, and recorded in deed book number twenty-four, page three hundred and ninety-eight, of the records of Brooke county, and the tract of land conveyed to the town of Wellsburg, by I. H. Duval and wife, by deed dated March twenty-ninth, one thousand eight hundred and eighty-six, and recorded in deed book number twenty six, page four hundred and sixty-six, of the records of said county.

Boundaries of city.

*Name and Corporate Powers.*

2. The inhabitants of so much of the county of Brooke as are within the aforesaid boundaries and their successors, shall be, and they are hereby made a body politic and corporate, by the name and style of "The City of Wellsburg," and as such and by that name may contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, and may purchase, take, receive, hold and use, goods and chattels, lands and tenements, and choses in action, or any interest, right or estate therein, for the proper uses of the said city, and may grant, sell, convey, transfer and assign, let, pledge, mortgage, charge and encumber the same in any case and in any manner in which it would be lawful for a private individual so to do, and may have and use a common seal and alter and renew the same at pleasure; and generally, shall have all the rights, franchises, capacity and powers, appertaining to municipal corporations of this State.

City incorporated; corporate name and powers.

*Officers.*

Officers of  
city.

3. The officers of said city shall be a mayor, four councilmen from each ward, city marshal, city clerk and street commissioners. The mayor, members of council, marshal and clerk shall be elected by the voters of said city as hereinafter provided.

*Powers and Duties of the Mayor.*

Mayor; his  
powers and  
duties.

His magiste-  
rial powers  
and duties.

Warrant and  
process issued  
by.

His police  
powers.

What meas-  
ures he may  
recommend  
to council.

4. The mayor shall be the chief executive officer of said city, and shall be paid a salary of two hundred dollars per annum. He shall take care that the provisions of this act, and the orders, by-laws, ordinances, acts and resolutions of the council of said city are faithfully executed. He shall have authority to convene council in special session whenever he may deem it advisable to do so, and shall be ex-officio a justice and conservator of the peace within said city, and shall within the same, have, possess and exercise all the powers, and perform all the duties vested by law in a justice of the peace, except that he shall have no jurisdiction in civil cases of causes of action arising without the corporate limits of said city. He shall have the same power to issue attachments in civil suits as a justice of his county has, although the cause of action may have arisen out of the city. But in such case he shall have no power to try the same, but such attachments shall be returnable to and be heard by some justice of his county. Any warrant or other process issued by him may be executed at any place within the county of Brooke. He shall have control of the police of said city, and may appoint special police officers whenever he may deem it necessary; and it shall be his duty especially to see that the peace and good order of the city are preserved, and that persons and property therein are protected, and to this end he may cause the arrest and detention of all riotous and disorderly persons in the city before issuing his warrant therefor. He shall have power to issue executions for all fines, penalties and costs imposed by him, or he may require the immediate payment thereof, and in default of such payment, he may commit the party in default to the jail of Brooke county, or other place of imprisonment in said city, if there be one, until the fine or penalty and costs are paid; but the term of imprisonment shall not exceed thirty days. He shall from time to time recommend to the council such measures as he may deem needful for the welfare of the city. The expense of maintaining any person imprisoned by him, except it be to answer an indictment, or be under the provisions of sections two hundred and twenty-seven

and two hundred and twenty-eight of chapter fifty, of the Code of West Virginia, shall be paid by the city. The mayor shall not receive any money belonging to the State or individuals, unless he shall give the bond and security required of a justice of the peace by chapter fifty of the Code of West Virginia; and all the provisions of said chapter relating to moneys received by justices shall apply as to like moneys received by such mayor; and for such services, when acting in the capacity of a justice of the peace, he shall receive such fees as are allowed by law to justices for similar services.

Persons imprisoned; expenses of, how paid.  
No power to receive money, unless, etc.; what provisions of law to apply.

His fees when acting as justice.

5. It shall be lawful for the mayor, when any person is fined by him, at his discretion, to sentence such person to labor without compensation, on any of the streets or alleys, or any of the public works or improvements, undertaken or to be undertaken by the city, in lieu of the fine so imposed, for a period not exceeding thirty days. In rendering such judgment, and giving such sentence, the mayor shall ascertain and fix the amount of the fine, upon the payment of which, with the cost of prosecution, such person shall be discharged from sentence to labor. Such person so sentenced to labor, shall be confined in the jail of Brooke county, or other place of imprisonment in said city, while not at labor, and while at labor they shall be secured by a ball and chain attached to the leg, or otherwise, so as to prevent their escape, and not unnecessarily obstruct the performance of their labor.

Mayor; further powers of; persons fined may be sentenced to labor; on what.

Judgment in such cases; what to ascertain, the.

When person so sentenced, be discharged.

Where confined.

Ball and chain.

*Duties of Marshal.*

6. It shall be the duty of the marshal, at least once in every six months during his continuance in office, and oftener, if required by council, to render an account of the taxes, fines, penalties, assessments and other claims in his hands for collection, and return a list of such as he shall not have been able to collect, by reason of insolvency, removal or other causes; to which list he shall make affidavit that he used due diligence to collect the same, but has been unable to do so; and if the council shall be satisfied of the correctness of said list and affidavit, it shall allow the marshal a credit for said claims. He shall pay any money in his hands belonging to the city upon the order of council, and not otherwise. For services rendered, he shall receive the same per centum on the amount collected and accounted for, as the sheriff of Brooke county receives for similar services. For all moneys received by the marshal outside of the ordinary revenue of said city, he shall receive such compensation as council may prescribe,

Marshal of city; his duties as to taxes and fines, etc.

When to pay money.

His commission.

Ex-officio  
chief of po-  
lice.  
To select po-  
licemen;

not exceeding five per cent. He shall be ex-officio chief of police of said city, and shall select and nominate to council any number of policemen, from whom if deemed proper, the council shall select and elect one or more.

### *Wards.*

City divided  
into wards;

Members of  
council; how  
elected.

Council may  
alter or in-  
crease wards.

7. The city of Wellsburg shall be divided into three wards, as nearly equal in population as practicable. The members of council from each ward shall be elected by the voters thereof, and council shall establish a voting place in each ward. The council shall have authority to alter the boundaries of any of the wards of said city, or to increase the number of said wards, keeping in view the equality of population.

### *Boundaries of Wards.*

Boundary of  
first ward.

Boundary of  
second ward.

Boundary of  
third ward.

8. The boundaries of the first ward shall be as follows: All that portion of said city bounded on the north by Liberty street, on the east by the corporate limits of said city, on the south by the corporate limits of said city, and the west by the State line of West Virginia, shall constitute the first ward of said city. The second ward shall include all that portion of said city bounded on the north by Walnut street, on the east by the corporate limits of said city, on the south by Liberty street, and on the west by the State line of West Virginia. The third ward shall include all that portion of said city bounded on the north and east by the northern and eastern boundary lines of said city, on the south by Walnut street, and on the west by the State line of West Virginia.

### *Elections.*

Elections;  
when held.

9. The first election under this act shall be held on the second Tuesday of April, 1887, and an election shall be held annually thereafter, on the second Tuesday of April.

### *Term of Office.*

Term of office  
of officers.

10. The officers first elected under this act, shall hold their offices from the first Monday in May next succeeding their election, until their successors are elected and qualified; the terms of all officers elected after the said election, shall commence on the first Monday in May next succeeding their election.

*Oath of Office.*

11 Every person elected or appointed to an office in said city, shall within twenty days after his election or appointment, and before entering upon the duties of his office, take and subscribe to the oath required by law, to be administered by the mayor, or clerk, or any other person legally authorized so to do.

Oath of office; when and how administered.

*Voters.*

12. All persons who are bona-fide residents of said city and who are qualified voters under the constitution and laws of this State, shall be entitled to vote at all municipal elections held in said city, but only in the ward of which they are residents.

Who may vote, and where.

*Council—How Composed.*

13. The council of said city shall consist of two branches, to be designated as the first and second branches, and each branch shall be composed of six members, two of whom shall be elected from each ward.

Council; how composed.

*Officers—When Elected, &c.*

14. At the first election of officers held after the passage of this act, there shall be elected a mayor, marshal, clerk, and twelve councilmen; and thereafter the mayor and marshal shall be elected every two years, and shall hold their offices for the term of two years, and until their successors are elected and qualified.

Election of officers; when.

Term of office of mayor and marshal;

The clerk elected in said city at the election held therein on the second Tuesday in April, one thousand eight hundred and eighty-seven, shall hold his office for the term of one year, and until his successor is elected and qualified.

Of clerk first elected.

At the election held in said city on the second Tuesday in April, one thousand eight hundred and eighty-eight, a clerk shall be chosen, who shall hold his office for the term of two years, and until his successor is elected and qualified; and thereafter a clerk shall be elected every two years, who shall hold his office for the term of two years, and until his successor is elected and qualified.

Term of office of clerk elected after first election.

The members of council elected in said city at the election held therein on the second Tuesday of April, one thousand eight hundred and eighty-seven, shall be divided into two classes, to be designated as the first and second classes. Each class shall be composed of two councilmen from each ward, one from the

Classification of members of council.

Number in each class; how selected.



first branch of council and one from the second branch, to be selected by lot, in such manner as the mayor of said city may determine. Those composing the first class shall hold their offices for the term of one year, and until their successors are elected and qualified; and those composing the second class shall hold their offices for the term of two years, and until their successors are elected and qualified. The successors of those composing the first class shall be chosen at the election held in said city on the second Tuesday in April, one thousand eight hundred and eighty-eight, and shall hold their offices for the term of two years, and until their successors are elected and qualified; and thereafter three members of each branch of the council of said city, one of whom shall be chosen from each ward, shall be elected annually, and shall hold their offices for the term of two years, and until their successors are elected and qualified.

**Term of office of each class.**

**Successors; when chosen.**

**Annual election; for what term.**

#### *Street Commissioner.*

15. The street commissioner shall be appointed by council, and shall hold his office at their pleasure; and perform such duties and receive such compensation therefor, as council may from time to time prescribe.

**Street commissioner; how appointed, his duties and compensation.**

#### *First Branch—Clerk.*

16. The first branch of council shall appoint its own clerk, who shall perform such duties and receive such compensation therefor as council may from time to time prescribe.

**Clerk to 1st branch; his compensation, etc.**

#### *Tie Vote.*

17. When two or more persons shall receive an equal number of votes for the same office, if such number be the highest cast for such office, the council shall decide by lot which of them shall be returned as elected.

**Tie vote; how decided.**

#### *Contested Election.*

18. All contested elections shall be decided by the council. The first branch of council shall at its first meeting after each annual meeting, elect one of its members as president, who shall, in the absence or disability of the mayor, perform the duties appertaining to the office of mayor.

**Contested elections; how decided.**

**President of council; when and how elected; his duties.**

#### *Presiding Officer*

19. The mayor shall preside over the first branch of

council. and the second branch shall elect one of its own members as president, and in the absence of the presiding officer of either branch, such branch shall have authority to elect one of its own members president *pro tempore*. Neither branch shall transact any business at any meeting thereof, unless a majority of the members be present at such meeting; but a less number than a majority may compel the attendance of the absent members.

Who to preside in council.

Majority of members necessary to transact business.

No member of council shall vote upon any order, measure, resolution or proposition, in which he may be interested otherwise than as a citizen of said city.

When member shall not vote

*Journal.*

20. Each branch of council shall cause to be kept in a well bound book, an accurate record of all its proceedings, which shall be fully indexed and open to the inspection of the public.

Record of council; how kept; open to inspection.

*Duties of the Clerk.*

21. The clerk of said city shall be clerk of the second branch of council, and of all the committees thereof, for which services he shall receive a salary of one hundred and fifty dollars per annum, and he shall perform such other duties and receive such compensation therefor, as council shall from time to time prescribe.

Who to be clerk of 2nd branch; his duties and compensation.

*Reading of Minutes.*

22. At each meeting of the council the proceedings of the last meeting shall be read and corrected, if erroneous, and signed by the presiding officer for the time being. Upon the call of any member, the yeas and nays, on any question, shall be taken and recorded in the Journal.

Minutes of council; reading and correction of.

Yeas and nays.

*Vote of Mayor.*

23. The mayor shall vote in council only in case of a tie, except as provided in section thirty-eight, of this act.

Vote of Mayor.

*Powers and Duties of Council.*

24. The council of said city shall have power therein to lay off, vacate, close, open, alter, curb, pave and keep in good repair roads, streets, alleys, sidewalks, cross walks, drains and gutters, for the use of the public, or any of the citizens thereof, and to improve, repair and light the same, and to keep them free from obstructions; to regulate the width thereof; and to

Council; powers and duties of, as to roads, streets, alleys, sidewalks, drains, etc.

As to  
markets.

As to removal  
of officers;  
when and  
how;

As to conta-  
gious, etc.,  
diseases;

As to hos-  
pitals and a  
board of  
health;

As to nuis-  
ances;

As to slaugh-  
ter houses,  
etc;

As to gun  
powder;

As to hogs,  
etc., running  
at large;

As to divine  
worship and  
burial  
grounds;

As to building  
of houses,  
etc.;

As to fires;

order the sidewalks, footways, cross-walks, drains and gutters to be curbed and paved and kept in good order, free and clean, by the owners of the real property next adjacent thereto; to establish and regulate markets, to prescribe the times and places for holding the same, to provide suitable buildings therefor, and to ordain and enforce such regulations respecting the said markets as the interests or convenience of the inhabitants of said city may require, or as shall be necessary to prevent the forestalling or regrating of said markets. And upon reasonable notice to any officer whose election or appointment is provided in this act, council shall have authority, upon the motion of any member thereof, or of any citizen of said city, to remove such officer for drunkenness, incompetency, or neglect of duty, or any nonfeasance, misfeasance, or malfeasance in office. But no such officer shall be removed except upon a two-thirds vote of all the members of council; council shall have authority to ordain and enforce such regulations within said city as shall be necessary or proper to secure the inhabitants thereof from contagious or other infectious diseases; to establish, erect and regulate hospitals in or near said city; to provide for the appointment and organization of a board of health for said city, and invest it with such powers and ordain and enforce such regulations for its government and support and for the prompt and efficient performance of its duties, as shall be necessary or useful for the purposes aforesaid; to require and compel the abatement and removal of all nuisances within said city at the expense of the person or persons causing the same, or of the owner or owners of the ground whereon the same may be; to prevent or regulate slaughter houses, tan houses and soap factories within said city, or the exercise of any offensive or unhealthy business, trade or employment therein, and to ordain and enforce such regulations respecting the same, as the comfort, health and convenience of the inhabitants of said city may require; to prevent injury or annoyance to the public or individuals from anything dangerous, offensive or unwholesome; to regulate the keeping of gunpowder and other combustibles within said city; to prevent hogs, cattle, horses, sheep and other animals from running at large in said city; to protect persons engaged in divine worship; to provide in or near said city places for the burial of the dead, and to regulate interments therein; to regulate the building of houses or other structures, and to provide for the making and repairing of division fences by the owners of adjacent premises, and the proper drainage of lots; to establish and enforce such regulations as may be necessary to prevent or extin-

guish fires within said city; to prevent illegal sales of intoxicating liquors, drinks, mixtures and preparations in said city; to protect the persons and property of all persons in said city, and to preserve peace and good order therein; to appoint when necessary a police force to assist the marshal in the discharge of his duties; to prescribe the powers and duties of the officers appointed by council; to fix their terms of service and compensation, and require and take from them bonds when deemed necessary, payable to the city in its corporate name, with such sureties and in such penalties as council may require, conditioned for the faithful discharge of their duties; to erect, or authorize, or prohibit, the erection of gas works, or water works, in or near said city, and to prevent injury to or pollution of the same; to regulate and provide for the weighing of all products sold or for sale in said city; to provide a revenue for said city, and appropriate and expend the same for city purposes; to adopt rules for the government of the council and each branch thereof; to pass such ordinances as shall be necessary and proper to secure persons within said city against thieves, robbers, burglars and all other persons violating the public peace of said city; to prevent and punish cruelty to animals; to suppress gaming; to prevent and punish lewd and lascivious, indecent and disorderly conduct; to suppress houses of ill fame, and to arrest and punish persons found therein; to prevent and punish desecration of the Sabbath day, and to prevent and punish profane swearing. Council shall also have authority to create by ordinance such committees or boards, and delegate such authority thereto as it may deem advisable, and to pass all ordinances not repugnant to the constitution and laws of the United States or of this State, which may be necessary or proper to carry into full effect any power, authority, capacity or jurisdiction which is or shall hereafter be granted to or vested in the said city or any of the officers or authorities thereof.

As to intoxicating liquors;

As to persons and property:

As to police force and other officers;

As to gas works, etc.

As to weighing of products;

As to revenue;

As to rules and ordinances:

As to cruelty to animals.

As to indecent, etc., conduct, and houses of ill fame;

As to the Sabbath and profanity.

Power to create committees; to pass ordinances to carry in effect powers vested in city, etc.

### *Finances.*

25. As soon as practicable after each annual election, the council shall, at a regular session thereof, proceed to make up an estimate of the amount necessary to be levied for such year, to cover all the debts and liabilities of said city, which may be due or which may become due or payable during such year, including the probable expenditures for city purposes, the number and amount of city orders outstanding and unpaid and the proper allowance for delinquent taxes, expenses of collection and contingencies; but deducting the

Duty and power of council as to taxes.

money in the city treasury available for the payment of charges against said city and claims of the city, the payment of which may, in the opinion of council, be relied on during the year. Said estimates shall, when approved by council, be entered on the journal of each branch thereof; and council shall thereupon proceed to levy so many cents on each hundred dollars of the valuation of the taxable property of said city, according to the last assessment thereof for State and county purposes, as will provide a fund sufficient to pay the amount necessary to be raised for city purposes for such year. The levy so ordered shall be upon all dogs in said city and upon all the real and personal property therein subject to taxation for State and county purposes; but the taxes so levied shall not exceed one dollar on every one hundred dollars of the valuation thereof.

Upon what property levied for taxes made.

Limit to levy.

### *Licenses.*

Licenses; for what required.

Power of council to grant or refuse license to sell liquors, etc.

"Bitters" deemed spirituous liquors

Licenses to sell not to be granted, except, etc.;

Bond required; penalty and conditions of,

May revoke license; when;

Suit on bond.

26. Whenever anything for which a State license is required, is to be done within said city, the council thereof may require a city license therefor, and may impose a tax thereon for the use of the city. Council shall have the exclusive authority within said city, to grant or refuse license to sell spirituous liquors, wine, porter, ale or beer, or any drink of like nature or any drink or mixture which will produce intoxication, or to keep a pool or billiard table. And all mixtures or preparations, known as "bitters" or otherwise, which will produce intoxication, whether they be patented or not, shall be deemed spirituous liquors within the meaning of this section. But no license to sell, offer or expose for sale, any spirituous liquors, wine, porter, ale or beer, or any drink of like nature, or any drink or mixture which will produce intoxication, or any preparation drink or mixture mentioned in this section, within said city or within two miles of the corporate limits thereof, unless it be within another incorporated city, town or village, shall be authorized or granted except as provided in the next section. Council shall require from every person so licensed, a bond with good security to be approved by council, in a penalty of not less than three thousand five hundred dollars, payable to said city in its corporate name, conditioned as prescribed in section eighteen, of chapter thirty-two, of the code of West Virginia, and may revoke such license at any time, if the condition of said bond be broken, upon ten days previous notice to the person holding such license. And suits may be prosecuted and maintained on such bond, as prescribed in said section of said chapter, by the same persons, in the same manner, and to the same

extent and with like effect as upon the bonds mentioned in said section, and all the provisions of said sections, in relation to the bonds therein mentioned shall be applicable to the bonds required by this section.

*Vote on Granting of License.*

27. At each annual election the question of granting or refusing a license to sell, offer or expose for sale, any spirituous liquors, wine, porter, ale or beer, or any drink of a like nature, or any drink or mixture which will produce intoxication, or any preparation, drink or mixture mentioned in the preceding section, shall be submitted to and voted on by the citizens of said city. The persons voting for the granting of such license shall have written or printed on their ballots the words: "For License," and the persons voting against the granting of such license shall have written or printed on their ballots the words: "Against License." If a majority of the votes cast at such election shall be in favor of granting such license, it shall be granted to any proper person applying therefor, for such period as the applicant may desire, not exceeding one year, subject to the provisions of chapter thirty-two, of the code of West Virginia; but if a majority be against granting such license, it shall not be lawful to grant the same.

Vote on granting of license.

What to have on ballot.

Majority vote required.

*Amount of License.*

28. Such license shall not be less than three hundred dollars nor more than five hundred dollars.

Limit to amt for license.

*Manner of Procuring License.*

29. Council shall prescribe by ordinance the manner in which the licenses provided for in this act may be obtained.

Manner of obtaining license.

*Sidewalks, &c.*

30. If the owner of the real property next adjacent to any sidewalk, foot way, gutter or drain within said city, shall fail or refuse to curb, pave, or keep the same clean, in the manner or within the time required by council, it shall be the duty of council to cause the same to be done at the expense of such owner; and the cost thereof may be collected by the marshal in the manner prescribed by this act for the collection of city taxes. Council shall also have authority to pave or macadamize the streets, alleys, sidewalks, footways, gutters or drains in said city at the expense of said city.

If owners fail or refuse to pave, etc., walks, etc., what proceedings.

Power of council to pave streets, etc.

If upon petition, how; who to pay and how.

When to be paid.

City to pay one-third; when to pay entire expense.

Costs of paving to be lien on lots; when.

How enforced.

Money so collected, how used.

The use of it for any other purpose, may be restrained.

Upon the petition of the persons owning the greater part of the lots fronting or bounding on both sides of any street or alley in said city, council shall have authority to order such street or alley to be paved with cobble stone, brick or other suitable material, or to be macadamized, under such supervision and in such manner as may be prescribed by ordinance, and upon the lowest and best terms to be obtained by advertisement for bids or proposals therefor, and two-thirds of the cost of such paving or macadamizing, from either side of such street or alley to the middle thereof, shall be assessed to the owner or owners of the lots, or parts of lots, fronting or abutting thereon, in the proportion which such lots or parts of lots bear to the whole number of lots fronting or abutting on any such street or alley. The one fourth thereof shall be paid within thirty days after the completion of the work, and the remainder in three equal installments, payable at such times as council may by ordinance prescribe. The other one-third shall be paid by the city, and the intersection of all streets and alleys, or streets with alleys, shall be paved or macadamized at the sole expense of the city. The costs of such paving or macadamizing, which may be charged against any lots or parts of lots, shall be a lien thereon, and may be enforced by suit in equity in any court having jurisdiction thereof, or such costs or any instalment thereof may be collected by action at law in any court or before any justice having jurisdiction thereof. The money collected by virtue of this section, shall be in addition to the money collected by said city for other purposes, and shall be used for no other purposes except those provided for in this section; and the use of such money for any other purpose may be restrained by injunction at the suit of any one or more of the taxpayers of said city.

### *Collection of Taxes.*

Collection of taxes; power and duty of marshal as to, and also as to fines, licenses, assessments and other revenues.

31. It shall be the duty of the marshal to collect the taxes, fines, licenses, levies, assessments, and other revenues of said city; and in case the same are not paid within one month after they are placed in his hands for collection, he may distrain and sell property therefor, in like manner and with like effect, as the sheriff of a county may distrain and sell property in the collection of State and county taxes; and said marshal shall have, in all other respects, the same power to enforce the payment and collection of such taxes, fines, licenses, levies, assessments and other revenues, as such sheriff now has or may hereafter have to enforce

the payment and collection of State and county taxes. The marshal shall have all the powers, rights, and privileges within said city, in regard to the arrest of persons, and the execution and return of process, that can be legally exercised by a constable therein, and shall be entitled to the same compensation therefor, and he and his sureties shall be liable to all the fines, penalties and forfeitures, that a constable is liable to, for any failure or dereliction in said office, to be recovered and enforced in the same manner, and in the same courts in which fines, penalties and forfeitures are now or may hereafter be recovered and enforced against constables. The marshal shall, before entering upon the discharge of his duties, execute a bond conditioned according to law, with surety to be approved by council, payable to the city in such penalty, not less than five thousand dollars, as council may prescribe.

Power of marshal as to arrests and execution and return of process.

His compensation and liability.

Fines, penalties, etc., against marshals, how recovered and enforced.

Bond of marshal.

*Lien for Taxes.*

32. There shall be a lien on all property, both real and personal in said city, for the taxes, levies, assessments and other charges thereon for city purposes, which shall have priority over all other liens thereon, except the lien for State, county and district taxes, and such lien may be enforced by the marshal in the manner which is now or may hereafter be provided by law, for the enforcement of the lien for State, county and district taxes, or in such other manner as council may by ordinance prescribe. If any real estate in said city be returned delinquent for the non-payment of any taxes, levies, assessments or other charges imposed thereon for city purposes, a list of such delinquent real estate may be certified by the marshal to the auditor, and the same may be sold for such taxes, levies, assessments or other charges, and the interest and commissions thereon in the same manner, at the same time, by the same officer, and with like effect as real estate is now or may hereafter be sold for the non-payment of State taxes thereon.

Lien on all property for taxes; priority of such lien.

How enforced.

Real estate delinquent for the non-payment of taxes may be sold; how.

*Condemnation of Real Estate.*

33. Said city shall have the right to condemn real estate therein for streets, alleys and other purposes of public utility, and proceedings for such condemnation shall be as prescribed in chapter forty-two, of the code of West Virginia, and shall be at the expense of said city.

Condemnation of real estate for streets, etc.; proceedings for.



*Gambling.*

Gambling;  
penalty for.

34. Any person who shall play at, bet on or be interested, either directly or indirectly, in any game of cards, faro, keno, billiards, pool or other game, in said city, no matter by what name called, or how designated, or by what device, or devices played, on the result of which any money or other thing of value has been or may be bet or staked, shall upon conviction thereof, be fined not less than one dollar nor more than twenty dollars, and may in the discretion of the mayor, be confined in the jail of Brooke county, or other place of imprisonment in said city, for a period not exceeding thirty days.

*Meetings of Council.*

Meetings of  
council.

35. The meetings of council shall be held at such times and places as council may from time to time prescribe.

*Election Officers, &c.*

Commission-  
ers and clerks  
of election,  
when and  
how ap-  
pointed.

Duty of such  
commission-  
ers.

Duty of coun-  
cil.

Duty of mar-  
shal.

What provis-  
ions of law ap-  
plicable.

36. Council shall appoint three commissioners and two clerks in each ward, before each annual election, who shall hold the elections herein provided for. Said commissioners shall make return of the elections so held by them, to the council of said city, as soon as practicable after such elections are held; and council shall thereupon ascertain and publish the result of such election, and enter said result upon the journal of each branch thereof. The marshal shall provide the necessary poll books and ballot boxes for such elections, at the expense of the city, and the provisions of chapter three, of the code of West Virginia, in so far as they are applicable thereto, and not inconsistent with the provisions of this act, shall apply to and govern such elections.

*Salaries—When Payable.*

Salaries,  
when pay-  
able.

37. All salaries herein provided for shall be paid quarterly.

*Appropriations.*

Appropri-  
ation; proposi-  
tions involv-  
ing, of money  
must be read  
before each  
branch of  
council, re-  
ferred, etc.;  
vote required  
to pass.

38. All propositions involving the appropriation of money, shall be read before each branch of council and referred to the proper committee thereof, which shall examine the same and report thereon as soon as practicable, and such proposition shall not pass unless two-thirds of the members of each branch of council present when the same is acted upon, shall concur therein;

and if such proposition involves the appropriation of one thousand dollars or more, it shall not pass unless it receives the vote of every member of council and the mayor. But this section shall not apply to the ordinary running expenses of the city.

Not to apply to ordinary expenses.

### *Proof of Ordinances, &c.*

39. All ordinances of said city and all entries in the journal of either branch of the council thereof, which shall be printed or published by authority of the council, or which shall be certified to be correct by the mayor of said city, under the seal thereof, shall be received by all courts and justices of the State, as prima facie correct.

What proof of ordinances, etc.; to be received as correct by courts, etc.

### *Present Officers and Ordinances.*

40. The officers of the town of Wellsburg, who are in office when this act takes effect, shall continue to exercise the same powers, discharge the same duties and receive the same compensation therefor, in the city of Wellsburg, which they now exercise, discharge and receive in the town of Wellsburg, until the first Monday in May, one thousand eight hundred and eighty-seven, or until their successors are elected and qualified. And all ordinances of the town of Wellsburg, which are in force when this act takes effect, shall continue in force in the said city until altered, amended or repealed by the council of said city.

Officers in office when act takes effect shall continue, etc.

Ordinances in force to continue in force, until, etc.:

### *Acts Repealed.*

41. All acts and parts of acts coming within the purview of this act and inconsistent therewith are hereby repealed.

Acts repealed.

[Approved February 24, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER XV.

AN ACT to repeal sections sixty-three and sixty-four, of chapter fifty-four, of the code of West Virginia, concerning joint stock companies without special charters, as amended and re-enacted by chapter seventeen, Acts of one thousand eight hundred and eighty-one, and further amended and re-enacted sections sixty-three and sixty-four, of chapter ninety-seven, of the acts of one thousand eight hundred and eighty-two.

(Passed February 21, 1887.)

Be it enacted by the Legislature of West Virginia :

Sections 63  
and 64 of  
chapter 97,  
acts 1882, re-  
pealed.

1. That sections sixty-three and sixty-four, of chapter fifty-four, of the Code of West Virginia, as amended and re-enacted by chapter seventeen, of the acts of eighteen hundred and eighty-one, and as further amended and re-enacted by sections sixty-three and sixty-four, of chapter ninety-seven, of the acts of eighteen hundred and eighty-two be, and the same are hereby repealed.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }  
March 3rd, 1887. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated, within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER XVI.

AN ACT to amend and re-enact section thirty-one, of chapter one hundred and thirty-seven, of the code, as revised, amended and re-enacted by chapter one hundred and twenty-nine of the acts of the Legislature of one thousand eight hundred and eighty-two.

(Passed February 21, 1887.)

Be it enacted by the Legislature of West Virginia :

1. That section thirty-one, of chapter one hundred and thirty-seven of the code of West Virginia, as revived, amended and re enacted by chapter one hundred and twenty-nine, of the Acts of the Legislature of one thousand eight hundred and eighty-two, be amended and re-enacted so as to read as follows :

Section 31 of chapter 129, acts 1882, amended and re-enacted.

31. No fee shall be collected by distress or suit after five years from the end of the year in which the service was done that is charged for therein, unless within two years before the institution of such proceedings, it was returned by an officer with an endorsement thereon properly dated, showing that there was no property found out of which to make it.

Limitation upon fee bills.

Return no property found.

And the clerk of the county court shall have for all services not specially provided for in section seven of this chapter nor in the annual allowance for his salary or otherwise, the same fees a clerk of the circuit court may have for similar services.

Fees of clerk county courts when not provided for in section 7.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }  
March 3, 1887. }

I certify that the foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the Legislature in which it originated, within the time prescribed by the Constitution of the state, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XVII.

AN ACT to amend and re-enact section fourteen, of chapter one hundred and five, of the code of West Virginia, concerning the sale of lands for the benefit of the school fund, as last amended and re-enacted by chapter forty-six, of the acts of one thousand eight hundred and eighty-five.

[Passed February 21, 1887.]

Be it enacted by the Legislature of West Virginia :

Chapter 46,  
acts 1885,  
amended and  
re-enacted.

1. That section fourteen, of chapter one hundred and five, of the code of West Virginia, as last amended and re-enacted by chapter forty-six, of the acts of one thousand eight hundred and eighty-five, be and the same is hereby amended and re-enacted, so as to read as follows :

Owner may  
file his peti-  
tion in circuit  
court: to state  
what; by  
what accom-  
panied.

Court to order  
excess paid to  
owner.

Order to be  
presented to  
auditor; his  
duty regard-  
ing it.

Former own-  
er or creditor,  
may file peti-  
tion in circuit  
court, to re-  
deem.

What proof  
required.

May redeem  
all or only a  
part.

What neces-  
sary to be paid  
and to whom,

14. Any owner may, within the time aforesaid, file his petition in the said circuit court, stating his title to such lands, accompanied with the evidences thereof, and upon full and satisfactory proof that at the time the title to said lands vested in the State he had a good and valid title thereto, legal or equitable, superior to any other claimant thereof, such court shall order the excess mentioned in the next preceding section to be paid to such owner; and upon a properly certified copy of such order being presented to the auditor, he shall draw his warrant on the treasury in favor of such owner, or his personal representative, for such excess. At any time during the pendency of the proceedings for the sale of any such land as hereinbefore mentioned, such former owner, or any creditor of such former owner of such land having a lien thereon, may file his petition in said circuit court as hereinbefore provided, and asking to be allowed to redeem such part or parts of any tract of land so forfeited, or the whole thereof, as he may desire, and upon such proof being made as would entitle the petitioner to the excess of purchase money hereinbefore mentioned, such court may allow him to redeem the whole of such tract, if he desire to redeem the whole, or such part or parts thereof, as he may desire, less than the whole, upon the payment into court, or to the commissioner of school lands, all costs, taxes and interest due thereon, as provided in this chapter, if he desire to redeem the whole of such tract; or if he desire to redeem less than the whole of such tract; upon the pay-

ment as aforesaid, of so much of the costs, taxes and interest due on such tract as will be a due proportion thereof, for the quantity so redeemed. But if the petition be for the redemption of a less quantity than the whole of such tract, it shall be accompanied with a plat and certificate of survey of the part or parts thereof sought to be redeemed.

If only a part, is to be redeemed, what must be paid.

Plat &c., must accompany petition if for redemption of a part.

Whenever it shall satisfactorily appear that the petitioner is entitled to redeem such tract, or any part or parts thereof, the court shall make an order showing the sum paid in order to redeem the whole tract or the part or parts thereof, which the petitioner desires to redeem, and declaring the tract, or part or parts thereof, redeemed from such forfeiture, so far as the title thereto was in the state, immediately before the date of such order; which order, when so made, shall operate as a release of such forfeiture, so far as the State is concerned, and of all former taxes on said tract, or part or parts thereof so redeemed, and no sale thereof shall be made. If the redemption be of a part or parts of a tract, the plat or plats, and certificate of the survey thereof hereinbefore mentioned, together with a copy of the order allowing the redemption, shall be recorded in a deed book in the office of the clerk of the county court. Provided, that such payment and redemption shall in no way affect or impair the title to any portion of such land transferred to and vested in any person, as provided in section three, of article thirteen, of the constitution of this State.

When entitled to redeem, what order shall be made.

Order to operate as a release of forfeiture and taxes.

When part is redeemed, plat, order, &c., to be recorded; where.

No vested rights to be affected or impaired.

[Approved February 21, 1837.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER XVIII.

### AN ACT for the Incorporation of Savings Banks.

[Passed February 21, 1837.]

Be it enacted by the Legislature of West Virginia :

1. Any number of persons, not less than thirteen, citizens of this State, whose responsibility and fitness Savings banks authorized.

**Who may organize.** for the proposed trust shall be certified by the judge or judges, of the circuit court of the county where the proposed savings bank is to be located, may associate themselves together for the purpose of organizing a savings bank, without being a joint stock company. At least three-fourths of their number shall reside in the county where the proposed bank is to be located.

**How many must reside in the county.**

**How organized; agreement.**

2. Such persons shall sign an agreement to the following effect: "The undersigned agree to become a corporation by the name of (here insert the name) for the purpose of conducting a savings bank, under an act of the Legislature, passed on the — day of —, 1887, and entitled, 'an act for the incorporation of savings banks;' which corporation shall keep its office, or principal place of business, at —, in the county of —, in the State of West Virginia. And each member of said association whose name is hereunto subscribed, agrees that he will accept the responsibilities and faithfully discharge the duties of a trustee of the said corporation, if the same shall be authorized to transact business, and he shall be named a trustee therein. In testimony whereof we have hereunto subscribed our names, and specified our respective places of residence, postoffice address and occupation."

**Agreement; how authenticated and to whom delivered.**

3. This agreement shall be acknowledged by the several incorporators, and the said agreement with said acknowledgments, shall be delivered to the Secretary of State, who, upon being satisfied of the responsibility, good character and general fitness for the discharge of the duties appertaining to such a trust, of the persons named in said agreement, shall issue to the said corporators his certificate, under the great seal of the State, to the following effect:

**Duty of Secretary of State.**

**His certificate.**

"I. A. B., Secretary of State, of the State of West Virginia, hereby certify that an agreement, duly acknowledged, has been this day delivered to me, which agreement is in the words and figures following: (here insert it.) Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the — day of —, a corporation by the name and for the purposes set forth in the said agreement.

Given under my hand and the great seal of the said State at —, this — day of —."

4. Upon the filing for recordation, of such certificate, in the office of the clerk of the county court of the

county, in which the said savings bank is to be located, the persons named therein, and their successors and assigns, shall be a corporation by the name and for the purposes therein specified, for a period of fifty years from the date of the said certificate.

Incorporated on filing certificate with county clerk.  
For what period.

5. As soon as practicable after the certificate of incorporation shall have been filed for record, and thereafter at a regular annual meeting to be held at such place as the trustees may select, on the second Tuesday of December in each year, the corporators named in such certificate, with such other members of the corporation as they may elect to associate with them therein, subject to the approval of the judge, or judges, of the circuit court of the county in which said bank is located, shall elect from their number a president, two vice-presidents, and the other members of a board of trustees, which board, including the president and vice presidents, shall consist of not less than thirteen members; and make such by laws, rules and regulations as they may think proper for the general conduct of the business of the corporation, not inconsistent with the constitution and laws of the United States or of this state.

Annual meetings of corporators to be held; when.  
Other persons may be associated with them; how.  
Officers; what, and how elected.  
Board to consist of not less than thirteen.  
Rules and regulations; how made.

6. The business of the corporation shall be managed and directed by the said board of trustees, who shall elect from their number or otherwise, a treasurer and such other officers as they shall see fit, and all vacancies in such board, or additions to the membership of the corporation, shall be filled by ballot of the board of trustees as soon as practicable, at a regular meeting, after such vacancy shall occur, and the affirmative votes of a majority of the whole number shall be necessary for the election of any trustee, or new member of the corporation, and subject also to the approval of the judge, or judges, of the circuit court of the county in which such savings bank is located.

Business of corporation; by whom managed.  
Board of trustees to elect certain officers.  
Vacancies; by whom and in what manner filled.  
What vote necessary to elect new trustee or member; what approval necessary.

7. The board of trustees may adopt by-laws and regulations for their government not inconsistent with the by-laws of the corporation.

By-laws, &c., of trustees; how adopted.

8. Regular meetings of the board of trustees shall be held as often as once in every three months, for the purpose of receiving reports of its officers and committees, and for the transaction of other business.

Meetings of trustees; when to be held and for what purpose.

9. Any trustee omitting to attend the regular meetings of the board, for six months in succession may thereupon, at the election and discretion of the said

Consequence of failure of any trustee to attend.



board, be considered to have vacated his place, and a successor may be elected.

Removal of trustees; how made.

10. The judge or judges, of the circuit court of the county in which the said savings bank is located, may at any time, for due cause, remove any trustee or member of the corporation, after due notice to such person and affording him an opportunity to be heard in his defense.

Security may be required from officers.

11. The trustees may require security from the officers, clerks and agents of the corporation, and fix the salaries of such officers, clerks and agents.

No compensation nor liability; for loss; except when,

12. No trustee shall receive any compensation for his services as trustee, except as hereinafter provided; nor shall he be liable for any loss, except such as may happen from his negligence or wilful or corrupt misconduct.

Trustee, officer, &c., not to borrow the funds, nor become endorser for borrower.

13. No trustee, officer, clerk or servant thereof, shall directly or indirectly, for himself or as the agent or partner of others, borrow any of the funds or deposits of the corporation; or become an endorser or surety for any moneys loaned by such corporation.

How moneys may be received and disposed of.

14. Such savings banks may receive on deposit any sum or sums of money that may be offered for that purpose, and invest the same and declare credits and dividends thereon, as hereinafter authorized and not otherwise.

Deposits and dividends; to be paid, how.

15. The sum or sums so deposited, together with any dividend credited thereon, shall be repaid to such depositors respectively, or their legal representatives, after demand in such manner and at such times and after such previous notice and under such regulations as the board of trustees shall prescribe; which regulations shall be printed in the pass books or other evidence of deposit furnished by the corporation, and shall be evidence of the contract; provided, that every such corporation may limit the aggregate amount which any one person may deposit, may refuse to receive a deposit, and may at any time return a deposit.

What notice and regulations required

Deposits may be limited.

Powers, when depositors are minors or married women.

16. The board of trustees of every such corporation shall have full power, at their discretion, to pay on application to any minor or married woman, whether the deposit was made by the woman before or after marriage, such money, or any part thereof, as he or she may have deposited to his or her credit, or any interest

or dividend accruing thereon, without the assent of the parent or guardian of such minor, or the husband of such married woman, as the case may be. And whenever it shall become apparent to the trustees or officers of any such corporation that it would be unwise or injurious to the interests of a minor to pay upon his or her application any money standing to his or her credit, the board of trustees may demand a written order to make such payment from the parent or guardian of such minor; and in the event of the minor having neither parent or guardian, may require an order from the circuit court of the county in which such minor shall reside, before making such payment.

Trustees may require written order from parent or guardian before paying minor.

Or in default of either, an order of court.

17. The trustees of any such savings bank shall invest the deposits of the bank and the income derived therefrom only as follows :

Deposits and income; how to be invested

*First*—In first mortgages or deeds of trust on real estate situated in this State, or in States contiguous thereto, such real estate in another State not being situated at a distance exceeding fifty miles from such bank, to an amount not to exceed sixty per cent. of the valuation of such real estate, but not exceeding seventy per cent. of the whole amount of deposits shall be so invested; and no loan on real estate security shall be made except upon the report of not less than two members of the board of trustees, who shall certify to the value of the premises to be encumbered, according to their best judgment, and such report shall be filed and preserved with the records of the corporation.

First mortgages &c, on real estate; where to be situated.

What per cent. may be so invested.

Value of premises; how ascertained.

*Second*—In bonds or securities of the United States, or of any State, or of any county, district, city, town or village in this State, or in any bonds for which the faith of the United States is pledged; or in the notes of any citizen of this State, with a pledge of any of the afore said securities at no more than eighty per cent. of the market value and not exceeding the par value thereof.

Bonds or securities; what,

Notes; how secured.

*Third*—In the notes of any citizen of this State, with a pledge as collateral of the stock of any bank or banking association incorporated under the authority of this State, or of the United States, at no more than eighty per cent. of the market value and not exceeding the par value thereof; provided, that such corporation shall not hold as security for loans more than one quarter of the capital stock of any one bank or banking association. Savings banks may deposit sums not to exceed twenty per cent. of their deposits, on call, in such banks

Notes; bank stock, &c., security.

Bank stock as security limited.

Savings banks deposits.

or banking associations, and may receive interest for the same.

Personal notes of depositors; limited and how secured.

*Fourth*.—In loans upon the personal notes of the depositors of the corporation, but not exceeding the amount of his deposit to a depositor; and in such cases the deposit and book of the depositor shall be held by the corporation as collateral security for the payment of the loan.

Limited amount may be invested in bonds, &c.; payable when; and how secured.

*Fifth*.—If such deposits and income can not be conveniently invested in the modes hereinbefore prescribed, not exceeding one-third part thereof may be invested in bonds and other personal securities, payable at a time not exceeding one year, with at least two sureties, if the principal and sureties are all citizens of this State and resident therein.

What amount may be invested in site and building.

*Sixth*.—Ten per cent. of the deposits of any such corporations, but not exceeding one hundred thousand dollars may be invested in the purchase of a suitable site and the erection or preparation of a suitable building for the convenient transaction of its business; and from portions of which not required for its own use, a revenue may be derived.

Building how used.

What property may be taken for indebtedness, &c.

*Seventh*.—Any such corporation may take real estate, stocks, bonds, and securities in payment in whole or in part of any debt bona fide owing to it, or may purchase the same if deemed necessary to secure or obtain payment of any such debt in whole or in part; and may manage, use and dispose of what has been taken or purchased as a natural person might do; but all such real estate shall be sold by it within five years after the title thereto is vested in the corporation; provided, however, that the circuit court of the county in which such real estate is situated, may upon petition of the trustees of any such savings bank, and for good cause shown, grant an additional time, not exceeding two years, within which such real estate may be sold.

How managed and disposed of.

Must dispose of real estate, within what time, except, &c.

Investments; when to be made; except, &c.

18. Investments shall be made as soon as practicable, except that for the purpose of meeting current expenses and payments in excess of receipts, there may be kept an available fund not to exceed ten per cent. of the whole amount of deposits, and such fund may be invested only in such loans as are provided for in subdivisions two, three, four, five and seven of section seventeen.

19. The excess of current receipts over the payments

may be deposited to the credit of the corporation in such banks as may be designated by the trustees; and moneys so deposited shall be withdrawn only on the checks of the president or treasurer, countersigned by such other officer as the trustees may designate.

Excess after payments; deposited how; and how withdrawn.

20. The real estate which it shall be lawful for any such corporation to purchase, hold and convey, shall be only such as is hereinbefore provided.

Real estate.

21. All applications for loans shall be made in writing through the treasurer of the corporation, who shall keep a record thereof, showing the date, name of applicant, amount asked for, and the security offered, and he shall cause the same to be presented to the investment committee of the board of trustees, and in all cases of loans upon real estate the borrower shall be required to pay all expenses attending the examination of title and securing the money loaned.

Applications for loans; how made and received; to be presented to investment committee.

Loans upon real estate; expenses, how paid.

22. No savings bank organized under this act, shall make or issue any certificate of deposit, or pay any interest on a deposit, except semi-annual dividend, nor pay any interest or deposit, or portion of a deposit or check drawn upon itself by any depositor, unless the pass-book of the depositor be produced and proper entry be made therein at the time of the transaction; provided, however, that the trustees may provide for making payments in cases of losses of pass-books; and provided further, that payments may be made upon the order of a court, or the power of attorney of a depositor.

Deposits, interest, &c., how and upon what conditions paid.

Provisions when pass-book is lost.

Order of court or power of attorney.

23. Every such savings bank shall, at the time of making each semi-annual dividend, reserve as a guaranty fund from the net profits which have accumulated during the six months then next preceding, not less than one-eighth nor more than one-fourth of one per cent. of the whole amount of deposits, until such fund amounts to five per cent. of the whole amount of deposits; which fund shall be thereafter maintained and held to meet losses in its business from depreciation of its securities or otherwise.

Per cent. of deposits reserved to cover losses.

24. The income or profit of every such savings bank, after a deduction of all reasonable expenses incurred in the management thereof and the guaranty fund, shall be divided among its depositors or their legal representatives, at times fixed by its by-laws, in the following manner:

Profits; how divided.

Ordinary dividends shall be made every six months

Dividends;  
when made,  
and extent.

and shall not exceed two and one-half per cent. on all sums which have been on deposit for six months preceding, or one and one-fourth per cent. on all sums which have been on deposit for three months preceding; and no ordinary dividend shall be declared or paid except as above provided, nor upon a deposit of less than three months standing; and any such savings bank may, by its by laws, provide that no dividends shall be declared or paid on a less sum than three dollars, or on the fractional part of a dollar.

Dividend not  
to be declared  
or paid;  
when.

25. If at the time provided by the by-laws for making ordinary dividends the net profits, for the six months preceding, over and above the sum to be added to the guaranty fund, do not amount to one per cent. of the deposits, no dividend of the profits shall be declared or paid.

Net profits;  
when, how  
and among  
whom divid-  
ed.

26. Once in every term of three years if the net profits accumulated over and above said guaranty fund, and dividends amount to one per cent. of the deposits which have remained in such savings bank for one year then next preceding, such net profits shall be divided among the depositors whose deposits have remained therein for one year at least then next preceding, in proportion to the amount of dividends which have been declared on their deposits during the three years then next preceding.

Examination  
before divi-  
dend declar-  
ed.

How divi-  
dend to be au-  
thorized.

27. No dividend shall be declared or paid until the trustees cause an examination to be made and find that the amount thereof has actually accrued, and no dividend or interest shall be paid unless authorized by an aye and no vote of the trustees, recorded in their minutes, after such examination.

Compensati'n  
of trustees;  
how fixed.

28. It shall be lawful for the trustees of any such savings bank to receive such reasonable compensation, when acting as officers or agents of the corporation, each year, as the majority of the members of the corporation at their annual meeting shall by resolution prescribe for specified duties to be performed, such resolutions being approved by the judge, or judges, of the circuit court of the county in which said savings bank is located, but it shall not be lawful to pay trustees, as such, for their attendance at meetings of the board.

No pay for  
cert'n duties.

29. It shall be the duty of the trustees of every such savings bank, by a committee of not less than three of their number, on or before the first day of January and

July in each year. to thoroughly examine the books, vouchers and assets of such savings bank, and to make a statement of its assets and liabilities, and to publish the same in a newspaper of general circulation in the county in which such bank is located, at least twice before or on the first day of February and August in each year; which said statement shall be verified by the oath of a majority of the trustees making such examination.

Committee to make semi-annual examinations of books, &c.; to make and publish statement of assets and liabilities

Statement; how verified.

30. The circuit court of the county in which any such savings bank is located, may, at any time, on the application under oath, of any five or more officers, trustees or depositors, of any such corporation, such depositors representing deposits aggregating at least two thousand dollars, setting forth their interest, and the reasons for making such examination, for reasons deemed sufficient by said court, appoint two or more persons to examine into the investments thereof, and its affairs and business generally. The books, papers, and business of such corporation shall be open and subject to the examination of such persons, and the trustees, officers and clerks thereof, or any other person may be examined on oath by such persons; and the said court may confer such other powers on the persons so appointed as they may consider necessary for the more thorough and perfect examination of the affairs and business of such corporation; the said persons so appointed shall report the result of their investigation to the said court, who, if satisfied thereby, that any trustee, officer or servant of such corporation has been guilty of any fraud or misconduct, may remove such person or persons, and make further order and take such further measures for securing the funds, and property of such corporation, as the said court may deem expedient. The costs and fees attending such proceedings shall be within the discretion of the said court, and may be adjudged either against the petitioners or the funds of such corporations, as the court may determine.

Court may order an examination of the general business of bank; when.

Books, &c., shall be opened for inspection, and officers, &c., examined on oath.

Report to be made to court.

Court to do what is necessary to protect funds, &c.

Costs of such proceeding; how adjudged.

31. Any trustee, officer or agent, of any such corporation, who shall authorize or make an investment in any securities not named in this act, shall be guilty of a misdemeanor, and fined not less than one hundred dollars, and imprisoned not less than one year.

Misconduct of officers, &c.; how punished.

32. Every such corporation may, at any time, hold special meetings of its members by order of its trustees, and its treasurer shall also give notice of special meetings of the members upon the requisition in writing of any ten members of the corporation. Notice of all

Special meetings; how ordered.

Notice of; how given. meetings shall be given by public advertisement in some newspaper of the county where the corporation is established, and by seasonably mailing to each member a written or printed notice of such meeting.

Members may withdraw; when. 33. Any member of any such corporation may, at an annual meeting, withdraw from the corporation, if he has filed with the treasurer a written notice of his intention so to do, three months at least, before such meeting. And no person shall continue to be a member after removing from the State.

Effect of removal from State.

Unclaimed deposits to be published; when, how. 34. The board of trustees of every such corporation shall, in the month of January of each year, at the time of publishing the semi-annual statement of such corporation, cause to be published at the same time, and in the same newspaper, or newspapers, a complete list of the unclaimed deposits, on which at least the sum of five dollars shall then be due, and which shall have been deposited by persons who have not within two years, then next preceding, made a deposit or received a dividend or payment from such corporation.

May pay order drawn by person since deceased; within what time. 35. Every such savings bank is authorized and empowered to pay any order drawn upon it by any person who has funds on deposit to meet the same, notwithstanding the death of such drawer in the interval of time between signing such order and its presentation for payment, when said presentation shall be made within thirty days after the date of such order; and at any subsequent period, provided, the depository has not received actual notice of the death of the drawer.

Deposits made in trust for another; name of. Beneficiary to be disclosed. 36. When a deposit is made in any such corporation by any one in trust for another, the name and residence of the person for whom it is made shall be disclosed, and it shall be credited to the depositor as trustee for such person; and if no other notice of the existence and terms of a trust has been given in writing to the corporation, in the event of the death of the trustee, the deposit, with the interest thereon, may be paid to the person for whom such deposit was made, or to his legal representatives.

How paid where trustee dies.

Business of corporation; how discontinued. 37. The members of any such corporation may at any time, in any annual meeting, or meeting called for the purpose, resolve to discontinue the business of the corporation, a majority of all the members being present and voting in favor of such discontinuance; and may divide among the depositors, in proportion to their respective interests therein, the property and assets that

Assets; how divided.

may remain after paying all debts and liabilities of the corporation. Public notice of such resolution shall be immediately given by advertisement, in some newspaper or newspapers of general circulation in the county where such savings bank is located, once a week for six successive weeks at least, before any dividend of the funds of the corporation shall be made; and the said resolution shall be forthwith certified by the president under his hand and the common seal of the corporation, to the secretary of state, who shall preserve the same in his office, and deliver a copy to the clerk of the House of Delegates, to be printed and bound with the acts of the legislature.

Notice of resolution to discontinue; how given.

Resolution; how certified and where filed.

To be printed with acts.

38. When any such corporation shall expire or be dissolved, its property and assets shall, under the order and direction of the board of trustees then in office, or of the receiver or receivers appointed for the purpose by the circuit court of the county in which such savings bank is located, be subject to the payment of the liabilities of the corporation and the expenses of winding up its affairs; and the surplus, if any then remaining, to distribution among the depositors according to their respective interests. And suits may be brought, continued or defended, the property, real or personal, of the corporation be conveyed or transferred, under the common seal or otherwise, and all lawful acts be done, in the corporate name, in like manner and with like effect, as before such dissolution or expiration; but so far only as shall be necessary or proper for collecting the debts and claims due to the corporation, converting its property and assets into money, prosecuting and protecting its rights, enforcing its liabilities, and paying over and distributing its property and assets, or the proceeds thereof, to those entitled thereto.

Disposition of property &c., after dissolution.

Surplus, after debts are paid to be distributed among depositors.

Its corporate existence remaining, for purposes of collection, &c.

39. Every corporation subject to this act shall exhibit its books, papers and property, to such agents or committees, as the Legislature may from time to time appoint to examine the same; and when required by the legislature, shall report thereto a full, fair and detailed exhibit of its property, liabilities and condition, verified by the oath of the president, and of the treasurer or principal book-keeper.

Books, &c., to be exhibited to committee constituted by the legislature.

Shall when required, make full report to legislature; how verified.

40. Savings banks incorporated under this act shall be subject to the provisions of the fifty-second, fifty-third, fifty-fourth and fifty-fifth chapters of the code, so far as the same are applicable.

Subject to chapters 52, 53, 54 and 55, of the code.



## [NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER XIX.

AN ACT to create the independent school district of Fayetteville, in the county of Fayette.

[Passed February 21, 1887.]

Be it enacted by the Legislature of West Virginia :

Independent school district of Fayetteville created. Boundaries thereof.

1. That the town of Fayetteville, in the county of Fayette, which is bounded as follows : Beginning at a spring by the Giles, Fayette and Kanawha turnpike, near Calvin Marr's shop ; thence with the corporate limits of said town, embracing all the territory therein, and in addition thereto the residence of Thomas Huse, and the tract of land on which the same is situated, is hereby created and established as the independent school district of Fayetteville.

Election to establish district ; duty of board as to.

To be by ballot.

The ballots.

Election conducted and result ascertained, how.

2. It shall be the duty of the board of education of said Fayetteville district, of Fayette county, at the election for school officers for said county, to be held for the year one thousand eight hundred and eighty-seven, to submit to the qualified voters of said Fayetteville district, the question of the adoption or rejection of the provisions of this act, and all persons residing in said Fayetteville district entitled to vote at such election, and no others, shall be entitled to vote on such question. The election shall be by ballot, and those voting in favor of the establishment of such independent free school district, shall have printed or written on their ballots the words, "For independent free school district," and those voting against the establishment thereof, shall have printed or written on their ballots the words, "Against independent free school district." The said election shall be superintended, conducted, and the result thereof ascertained and declared, by the same officers superintending and conducting the said general election for county officers, elected on that day, and all the provisions of the election laws in this state, so far as they are applicable, shall be in

force and govern such election, unless herein otherwise provided. At the said election there shall also be elected by the voters residing in said territory, a board of education for said independent free school district, consisting of a president and two commissioners, who shall be a corporation by the name of the "board of education of the independent free school district of Fayetteville," and by that name may sue and be sued, plead and be impleaded, purchase and hold as much real estate and personal property, as may be necessary for the purpose of this act, and without any transfer or conveyance they shall be deemed the owners of all real estate and personal property within the territory aforesaid, now held or owned for free school purposes, by the board of education of Fayetteville district; they shall have all the powers, perform all the duties and be subject to all the liabilities, both of boards of education and trustees. They shall hold their offices for the term of two years, beginning on the first day of July next after their election, and until their successors are elected and qualified according to law; and in the year one thousand eight hundred and eighty-nine, at the election for county superintendents of free schools and other school officers, and biennially thereafter, a new board shall be elected, who shall hold their offices for the term of two years, beginning on the first day of July next after their election, and until their successors are elected and qualified according to law; but nothing herein contained shall be construed to prohibit the reelection and eligibility of any member of such board for two or more terms. Vacancies in the board shall be filled for the unexpired term by appointment by the board.

General election law to govern.

Board of education to be elected.

Corporate powers conferred on board; may hold real estate and personal property.

Deemed owners of all school property within their territory.

General powers and liabilities.

Term of office.

New board elected, when.

Term of office.

Holding two or more terms not prohibited.

Vacancies; how filled.

3. The independent free school district of Fayetteville, herein authorized to be created and established, shall conform to and be governed by the general school law in this State, except where it is otherwise provided by this act.

General school law to govern.

4. All school moneys, whether belonging to the teachers or building fund, of Fayetteville district, which may be unexpended when the provisions of this act take effect, shall be divided between the said Fayetteville district and the independent free school district of Fayetteville, in proportion to the amount of taxable property in each of said districts, after the creation of the said independent free school district of Fayetteville. The latest available assessment for State and county purposes shall be taken as the basis of such settlement and division. It shall be the duty of the

Unexpended school moneys of Fayetteville district; how disposed of.

Basis of settlement.

**Who to make.** boards of education of each of said districts, within ninety days after the provisions of this act are adopted, to make the financial settlement provided for in this section. The said board of education of the independent free school district of Fayetteville, shall have power to lay levies in the same manner as provided in the case of boards of education of districts, but if, in the judgment of said board, it will be advantageous to the interests of education in such districts to do so, they may apply all moneys at their disposal, and which may be levied by them, either entirely to the employment and payment of teachers and the incidental expenses necessary to carrying on and conducting schools, including fuel and other things necessary for such schools, or entirely to building purposes, or partly for either; but there shall be a school taught in said district for at least six months in each year, and the board of education may provide for a longer period without resorting to a vote of the people residing therein; but the board of education of the independent free school district hereby created shall not lay a greater levy than fifty cents, on one hundred dollars valuation of the property, for school purposes, nor more than forty cents on the like valuation, for building purposes, in any one year.

**Levies, how laid.**

**Board to have discretionary power in expending moneys.**

**Must be at least six months school in each year.**

**Board empowered to provide for longer term.**

**Levy limited.**

[Approved February 25, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER XX.

AN ACT authorizing the employment of short-hand reporters by judges of the circuit courts.

[Passed February 21, 1887.]

Be it enacted by the Legislature of West Virginia :

**Short hand writers; employment of, authorized by judges circuit courts. For what purposes. Compensation.**

1. The judges of the circuit courts may at their discretion, employ short-hand reporters to report under such regulations as the judges may prescribe, the proceedings had and testimony given, during the trial of any cause in said circuit courts, and may allow them a reasonable compensation for their services and expenses.

2. Such compensation and expenses in felony cases, shall be paid by the auditor, out of the State treasury, upon a certified order of the judge of the circuit court in which the service was rendered, and such compensation and expenses in misdemeanor cases, shall be paid out of the county treasury of the county in which the service was rendered, upon a certified order of the judge presiding in said county, and in case of conviction in misdemeanor cases, the compensation to such reporter shall be taxed in the costs against the defendant, and if collected, repaid into the county treasury. The expenses of reporting any civil case shall be paid equally by parties to the cause, but the expenses so paid by the prevailing party, shall be taxed as part of the costs recovered, except, that in the first judicial circuit of this State, the expenses of reporting civil cases shall be paid out of the county treasury of the county in which the service is rendered, upon a certified order of the judge or judges presiding in said county.

How paid; in felony cases;

In misdemeanor cases.

To be taxed in costs, when.

In civil suits; how paid.

To be taxed in costs. Except where.

3. Any short-hand reporter so appointed, shall be competent in the practice of his art, and shall be duly qualified under oath; it shall be his duty to take full short-hand notes of the testimony in any case in which his services may be required, and such notes shall be deemed and held to be official, and the best authority in any matter of dispute, and a copy of the same made as hereinafter provided, shall be used by the parties to the cause in any further proceedings, wherein the use of the same may be required.

Reporter must be competent; shall qualify under oath.

His duty.

His notes held official and best authority.

Copies, how may be used,

4. It shall be the duty of said short hand reporter to furnish a copy of the notes of testimony, written out in long hand, upon the request of the judge, without extra charge, and in case either party to the cause shall request or require a transcript of the said notes, the stenographer shall furnish the same in long hand, and shall be entitled to be paid therefor the sum of twenty cents per each hundred words so transcribed.

Reporter to furnish long hand copies.

Compensation for transcribing.

5. The provisions of sections three and four shall apply to evidence heretofore taken by stenographers, in cases in circuit courts, where such stenographers were employed by the said courts and duly qualified.

Sections 3 and 4; to what they apply.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
 GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
 OFFICE OF SECRETARY OF STATE, }  
 March 3, 1887. }

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated, within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XXI.

AN ACT to relieve certain corporations from forfeiture or cessation of their corporate rights and privileges:

[Passed February 21, 1887.]

Be it enacted by the Legislature of West Virginia:

Certain corporations relieved from forfeiture; conditions necessary to be complied with.

Proviso.

Auditor to notify corporations; of what.

Duty of Secretary of State as to corporations redeeming.

1. Any corporation organized under the laws of this State, which shall, within sixty days from the passage of this act, pay to the auditor the license tax which was due on the first day of May, one thousand eight hundred and eighty-six, as required by section eight, of chapter twenty, of the Acts of one thousand eight hundred and eighty-five, shall be, and is hereby relieved of all forfeiture of its charter, by reason of any failure heretofore to pay such license tax; provided, that nothing herein contained shall be construed to extend to any corporation, the time for the payment of any license tax, except such as was due or payable on the first day of May one thousand eight hundred and eighty-six.

The auditor shall notify the corporations heretofore forfeiting their charters, as aforesaid, of the time and manner of payment of license tax herein provided for. The secretary of State shall issue to every corporation redeeming its charter as herein prescribed, a certificate showing such corporation to have been relieved from the penalty imposed by section eight, of chapter twenty,

of the Acts of one thousand eight hundred and eighty-five; and the provisions of sections seventeen, eighteen, nineteen and twenty of chapter fifty-four, of the code, shall be applicable thereto, as in the case of original certificates of incorporation; Provided further, that this act shall not apply to railroad corporations created by special acts, which, on the first day of May, one thousand eight hundred and eighty six, had not completed their respective roads and had them in operation.

Corporations  
to which this  
act does not  
apply.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }  
March 3, 1887. }

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the house of the Legislature in which it originated, within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

## CHAPTER XXII.

AN ACT to amend and re-enact sections one and twenty-nine, of chapter thirty one, of the Code of West Virginia, in relation to the sale of real estate for taxes, forfeiture for non payment and non assessment of taxes, and transfer of title vested in the State, which chapter was amended and re-enacted by chapter one hundred and thirty, of the acts of one thousand eight hundred and eighty-two.

[Passed February 22, 1887.]

Be it enacted by the Legislature of West Virginia :

1. Sections one and twenty-nine of chapter thirty-

Sections 1 and 20, Acts 1882, amended.

one, of the code of West Virginia, in relation to the sale of real estate for taxes, forfeiture for non-payment and non-assessment of taxes, and transfer of title vested in the State, which chapter was amended and re-enacted by chapter one hundred and thirty, of the acts of one thousand eight hundred and eighty two, are hereby amended and re-enacted so as to read as follows:

Lien on real estate for taxes.

1. There shall be a lien on all real estate for the taxes assessed thereon, from the day fixed by law for the commencement of the assessment of such taxes, in each year, and the interest upon such taxes, at the rate of six per cent. per annum, from the first day fixed by law for the payment of such taxes into the treasury, until payment. After the expiration of two years from the last named day, the auditor may institute a suit in equity, in the name of the State, to enforce the lien before mentioned, for any taxes unpaid, or for which no sale for taxes has been made, whether such lien commenced heretofore or that may hereafter arise.

Auditor may institute suit to enforce; when.

Where to be brought.

Such suit shall be brought and prosecuted in the circuit court of the county in which the real estate or the greater part thereof, is situated, or in which it has been theretofore assessed for taxes, and in such suit the land on which the taxes were assessed may be sold, and all taxes thereon, to the day of sale, with the interest accrued thereon, paid from the proceeds of sale.

Land to be sold for taxes.

Recovery, for whose use.

The recovery in such suit shall be by the State, for its own use for taxes due it, and for the use of the counties, districts, school districts and municipal corporations for taxes due them. In its decree of distribution the court shall direct the payment, out of the proceeds of sale, of costs of suit, including reasonable compensation not exceeding five per cent. of the amount collected to the counsel prosecuting the suit, in addition to the docket fee, and after such payments, the payment of the taxes and interest thereon, out of such proceeds, into the treasury of the State. The surplus if any, of such proceeds shall be paid to the owner of the property.

Payment of proceeds.

Attorneys compensation.

Surplus.

Over State and school taxes; how paid.

The taxes and interest, other than the State and State school taxes, with the interest thereon, shall be paid out by the auditor, as provided by section thirty-four of this chapter, in relation to money paid into the State treasury, in redemption of lands purchased by the State for taxes.

Suit in equity additional remedy.

Nothing herein contained, shall be construed as interfering in any way with other remedies and methods provided by law for collection of taxes, but such suit in equity shall be an additional remedy to the others heretofore provided.

29. In all cases in which a question shall arise as to any such sale or deed, or the effect thereof, such deed shall be prima facie evidence against the owner or owners, legal or equitable, of the real estate, at the time it was sold, his or their heirs and assigns, and all other persons who might have redeemed the same within said one year, as hereinbefore provided, and also prima facie evidence against the State, counties, districts, school districts and municipal corporations, for or by which the taxes, or any part thereof, for which the land was sold, were levied and assessed, or which may claim the benefit of a lien for any unpaid taxes assessed against the land sold, and conclusive evidence against all other persons, that the person named in the deed as clerk of the county court was such, that the sheriff or other officer who made the sale was such sheriff or officer as stated in such deed, that the material facts therein recited are true, and that such estate as is mentioned in the twenty-fifth section of this chapter, vested in the grantee in the deed. Nothing in this chapter or any other law contained, shall be construed as precluding the State, or any county court, board of education or municipality, from instituting and maintaining any suit or suits which might be instituted or maintained by any person claiming the land sold or any lien thereon, for the purpose of setting aside, for any reason, any tax sale or deed for land sold for taxes.

Effect of deed as evidence.

Institution, etc., of certain suits not precluded.

The auditor may, in his discretion, authorize the institution and prosecution of any suit, for and in the name of the State, for such purpose.

Auditor may authorize suit.

[Approved February 24, 1837.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER XXIII.

AN ACT providing for the exchange of land in Mercer county, between the State and the Trustees of the M. E. Church, South, Holsten conference, Jeffersonville district, Concord circuit.

[Passed February 22, 1837.]

WHEREAS, It is desirable that the grounds of the Con-



Preambles.

cord normal school, be extended on the north side thereof, so as to include the parsonage property, held in trust by William Holroyd, M. S. Johnson and William M. Reynolds, for the M. E. Church South, Jeffersonville district. Concord circuit, being a strip of land containing about two acres, more or less; and WHEREAS, It is represented that said trustees are willing, and by virtue of authority vested in them, are empowered, to exchange said parsonage property for a like strip of land on the south side of normal school grounds, upon the payment of three hundred and fifty dollars for removing the parsonage buildings, and repairing the same; therefore

Be it enacted by the Legislature of West Virginia :

James F. Holroyd authorized to convey certain land; when, how and for what purpose.

Auditor authorized to pay trustees.

1. That James F. Holroyd, who is hereby declared and appointed a commissioner for the purpose, do, upon said parsonage land being conveyed to the State of West Virginia, for the purpose recited in the foregoing preamble, by apt and proper deed, convey to said trustees by apt and proper deed, for the use and benefit of said church, the strip of land from said normal school grounds, and upon said conveyance being executed and said exchange made, the Auditor shall draw his warrant on the Treasurer of the State, for the sum of three hundred and fifty dollars (\$350.00) in favor of said trustees, to be paid out of any money in the treasury not otherwise appropriated.

[Approved February 24, 1857.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

#### CHAPTER XXIV.

AN ACT to amend and re-enact section 21, of chapter 163, of the Code of West Virginia, relating to the penitentiary.

[Passed February 22, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That section 21, of chapter 163, of the Code of West

Virginia, be and the same is hereby amended and re-enacted so as to read as follows :

Section 21,  
chapter 163,  
code amend-  
ed.

21. Biennially the condition of the penitentiary shall be examined and reported upon, by a joint committee of the legislature, composed of two from the senate and three from the house of delegates, to be appointed specially for the purpose at each regular session of the legislature by the president of the senate, and speaker of the house of delegates, respectively. Provided, the legislature may at any session, by joint resolution, provide that said joint committee need not visit said penitentiary.

Penitentiary ;  
biennial ex-  
amination of ;  
how made  
and reported.

Proviso.

[Approved February 24, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XXV.

AN ACT to prevent the deposit of the carcasses of dead animals and other noxious matters, in certain waters in this State, or upon the surface of any road, street, alley, city lot, public ground, market space or commons, and providing for the abatement of the nuisance occasioned by such deposit, and the punishment for violations of this act.

[Passed February 22, 1887.]

Be it enacted by the Legislature of West Virginia :

1. It shall be unlawful to put the carcass of any dead animal, or the offal from any slaughter-house, butcher's establishment or packing house, or slop or other refuse from any hotel or a tavern, or any spoiled meats or spoiled fish, or any putrid animal substance, or the contents of any privy vault, upon or into any river, creek or other stream within this State, or upon the surface of any road, street, alley, city lot, public ground, market space, or common, or on the surface within one hundred feet of any public road.

Depositing of  
carcasses of  
dead animals  
and other  
noxious mat-  
ters in certain  
waters or up-  
on any road,  
etc., prohib-  
ed.

2. It shall be unlawful for the owner or occupier of

Unlawful for owner, etc., of any city or town lot, etc., to permit anything named in preceding section to remain thereon, etc. Within what time he must abate such nuisance.

any city or town lot, public ground, market space, or common, to knowingly permit any of the things named in the preceding section, to remain thereon, to the annoyance of any of the citizens of this State, or neglect or refuse to remove or abate the nuisance occasioned thereby, within twenty-four hours after knowledge of the existence of such nuisance, upon any of the premises in this section before mentioned, owned or occupied by him, or after notice thereof in writing from any justice of the peace, or constable of any district, or the mayor or health officer of any municipal corporation in which any such nuisance exists.

Jurisdiction of justices as to offenses under this act. How offenses punished. Proceedings; how regulated.

3. A justice of the peace shall have jurisdiction of any offense against the provisions of this act, committed within his county. Any such offense shall be punished by a fine of not less than five nor more than fifty dollars, and the proceedings in the case as well as in all other cases under this act, shall be in conformity with sections two hundred and twenty-one, to two hundred and thirty inclusive, of chapter fifty, of the code of West Virginia, which sections are hereby made applicable to such cases.

Upon conviction, accused to bury or destroy offensive matter.

Upon a conviction for any such offense, the accused must bury at least three feet under the ground, or destroy by fire, any of the things named in the first section, which he has placed in any of the waters or places named in such section, or which he has knowingly permitted to remain upon a city lot, public ground, market space, or common, contrary to the provisions of the second section, within twenty-four hours after such conviction, and if he shall fail so to do, the justice shall further fine him not less than ten nor more than fifty dollars.

Penalty for failure.

Acts repealed. 4. All acts or parts of acts in so far as in conflict with this act are hereby repealed.

[Approved February 26, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XXVI.

AN ACT to amend and re-enact and to reduce into one, the several Acts incorporating the city of Parkersburg, in the county of Wood, defining the powers thereof and prescribing and extending the corporate limits of said city.

[Passed February 22, 1867.]

Be it enacted by the Legislature of West Virginia :

1. That the inhabitants of so much of the county of Wood as is within the bounds prescribed by section two of this act, and their successors, shall be and remain, and they are hereby made, a body politic and corporate, by the name and style of "The City of Parkersburg," and as such, and by that name, may contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, and may purchase, take, receive, hold and use goods and chattels, lands and tenements, and choses in action, or any interest, right or estate therein, either for the proper use of said city, or in trust for the benefit of any persons or corporations therein; and the same may grant, sell, convey, transfer, let, and assign, pledge, mortgage, charge and encumber in any case, and in any manner in which it would be lawful for a private individual so to do, subject to the limitations and provisions of the constitution of this State; and may have and use a common seal, and alter and renew the same at pleasure, and generally shall have all the rights, franchises, capacities and powers, appertaining to like corporations in this State, and shall have and succeed to all the powers, franchises and immunities, rights and privileges, which were conferred upon, or belonged or appertained to said city of Parkersburg, by virtue of any act or acts of the General Assembly of the State of Virginia, or of the Legislature of this State heretofore passed.

Parkersburg;  
acts incorpor-  
ating city of,  
amended and  
re-enacted.

Corporate  
name and  
powers.

2. The corporate limits and boundaries of said city shall be as follows :

Corporate  
limits and  
boundaries.

Beginning in the centre of the Little Kanawha river, below the mouth of Worthington creek, thence down said river, in the center thereof, to the Ohio river, thence to the center of said Ohio river in a line parallel to second street in said city, thence up the said river in the center thereof, to a point where the present boundary

line of said city, extended, would strike the center of said river. thence with said present boundary line so extended to the center of said river, thence the same course continued with the present boundary line, to the lands of the now, or late J. M. Stephenson, thence with the last mentioned line to the center of the Little Kanawha river, the place of beginning.

Wards; city  
divided into.

3. The territory of said city shall be divided into not less than four nor more than six wards, and such division shall be as follows :

Boundary of  
first ward.

The first ward shall include all the territory within the following boundary, to-wit :

Beginning in the north westerly boundary line of said city, being the line in the center of the Ohio river, thence by the south westerly boundary of said city, to the point in the center of the Little Kanawha river, and thence up the center of the Little Kanawha river, to a point where Juliana street, extended, would intersect the line in the center of said river, and thence with the line so extended, to the center of said Juliana street; thence with the center of said Juliana street and the continuation of the same, as now laid out, in a straight line from its present terminus, to the northeasterly boundary of said city, and thence with the said northeasterly boundary of said city, to the center of the Ohio river aforesaid, thence with the same to the place of beginning.

Second ward;  
boundary of.

The second ward shall include all the territory within the following boundary, to wit :

Beginning at the corner of the first ward aforesaid, in the centre line of said Little Kanawha river; thence with said line up said river to a point where Avery street, extended, would intersect the line in the center of said river, and thence with the line so extended to the center of said Avery street; thence with the center of said Avery street and the continuation of the same, as now laid out, to its present terminus on Thirteenth street; thence in a straight line from its present terminus, and parallel with Market street extended, to the said northeasterly boundary of said city, and thence with the same to the boundary line of said first ward, and thence with the line of said ward to the beginning.

Third ward;  
boundary of.

The third ward shall include all the territory within the following boundary, to-wit :

Beginning at the corner of the second ward aforesaid, in the center line of the Little Kanawha river aforesaid; thence with said center line, up said river to a point where Swan street extended, would intersect the line in the center of said river; thence with the line, so extended, of Swan street, and the center of said street, to

the center of said street now laid out; thence in a northeasterly direction, to the center of said Swan street so extended, the same course continued, and in a straight line, to its intersection with the northeasterly boundary of said city; thence with the same to the boundary of said second ward, and thence with the line of said second ward to the place of beginning.

The fourth ward shall include all the territory within the following boundary, to wit: Fourth ward; boundary of.

Beginning at the corner of the third ward aforesaid, in the center line of said Little Kanawha river, thence with said line up said river to a point where the easterly boundary of said city so extended would intersect the line in the center of said river, and thence with said line, so extended, and with the corporate line, to the northeasterly boundary of said city, and thence with said boundary to the third ward, and thence with the boundary of said ward to the place of beginning.

4. At all elections which shall be held by the voters of said city, for the corporate authorities thereof, the following persons shall be entitled to vote, viz: Who may vote in city elections.

Every person qualified to vote for members of the legislature of this State, who shall have been a resident of said city for at least six months preceding said election.

5. On the Tuesday next after the first Monday in April, one thousand eight hundred and eighty-seven, and on said day of every succeeding two years, there shall be elected, by the qualified voters of said city, a mayor, who shall hold his office for two years, from the third Monday in April succeeding his election, and until his successor shall be elected and qualified. Mayor; election of. His term of office.

6. On the same day first mentioned in the preceding section, two members of the council shall be elected in each ward in said city, who shall reside in the ward for which they are elected, and the candidate receiving the highest number of votes shall be elected for two years from the third Monday in April succeeding his election, and the candidate receiving the next highest number of votes shall be elected for one year, from the third Monday in April succeeding his election, and on the same day of each succeeding year one member of the council shall be elected in each ward in said city, whose term of office shall be for two years, from the third Monday in April succeeding his election, and until his successor shall be elected and qualified. Members of council; election of, when; where to reside; their term of office.

7. In all elections by the people the mode of voting

- Mode of voting.** shall be by ballot; but the voter shall be left free to vote by open, sealed or secret ballot, as he may elect.
- Duty of corporate authorities as to elections.** And the corporate authorities of said city shall perform the duties in relation to such elections required by general law of county courts concerning general elections held in this State, and for the preservation of the purity of the ballot, the provisions of chapter one hundred and thirty-nine, of the Acts of one thousand eight hundred and eighty-two, of the legislature of this State, passed March the twenty-fifth, one thousand eight hundred and eighty-two, amending and re-enacting chapter five, of the code of West Virginia, concerning offenses relating to elections, shall govern such elections, and be applicable thereto, and the penalties therein prescribed for offenses relating to elections shall be enforced against the offenders at such corporate elections, and said act shall have the same force and effect as if it were specially applicable to such corporate elections.
- What provisions of law are applicable.**
- Election precincts; how constituted.** 8. Each ward shall constitute an election precinct, and the council shall establish a voting place in each, and the election of councilmen shall be by wards. No voter shall be entitled to vote at any city election except in the ward in which he resides, and if any voter shall vote for any person for councilman, who is not a resident of the ward in which he is voted for, such vote or votes shall not be counted for such person or persons.
- Where voter must vote.**
- What votes not counted.**
- Who eligible as mayor or councilman.** 9. No person shall be eligible as mayor or member of council, unless he be a citizen of the State, and for at least six months preceding his election shall have been the owner of a freehold in said city, or a housekeeper therein, and shall have resided in the said city for at least one year preceding his election.
- Council judge of election and qualification of mayor, etc.** 10. The council shall be the judge of the election and qualifications of the mayor and of their own body; and no person elected as mayor or a member of the council, shall be competent to act as such until he shall have taken an oath or affirmation to perform the duties of his office honestly, and to the best of his skill and judgment; and if any person so elected shall not have taken such oath or affirmation within twenty days after his election, he shall be considered as having vacated his office.
- What oath mayor, etc., required to take.**
- When office deemed vacant.**
- What persons voted for deemed elected.** 11. At the election which shall be held for mayor, and members of the council, the person or persons receiving the highest number of votes, if duly qualified, shall be considered as elected: and if two or more per-

sons receive an equal number of votes for mayor or member of the council, so that the proper number be not elected, the council, or the members thereof actually elected, shall decide between the persons so tied. And if from any cause any election for mayor or member of the council shall not be held at the proper time for holding the same, it shall be lawful for and the duty of the council to cause such an election to be held as soon as practicable thereafter, due notice of such election having been first given by said council, at least ten days prior to the time fixed for holding the same, to the qualified voters thereat, by a publication in some newspaper published in said city.

Who to decide a tie vote.

Failure to hold election at proper time; what then?

12. If any vacancy shall occur in the office of mayor or the council, the council, or the remaining members thereof, shall as soon as practicable fill the same by the appointment of some eligible person.

How vacancies filled.

And the council shall have authority at any time, on charges preferred by any member thereof, to remove any member of their own body, provided, two-thirds of all the members of which the council shall consist concur in such removal, for any of the causes mentioned in section six of Article IV. of the Constitution of the State of West Virginia.

When, how, and for what removals made.

13. The meeting of the council shall be held at such places in said city, and at such times as they shall from time to time ordain and appoint; but it shall be lawful for the council by ordinance to vest in any officer of said city, or in any member or number of members of their own body, the authority to call special meetings; and it shall by ordinance prescribe the mode in which notice of such meetings shall be given; and no business shall be transacted unless a majority of all the members of which it then consists shall be present, except, that a less number may compel the attendance of absent members under such reasonable penalties as they may think proper to impose; and all questions put, except in such matters as are hereinafter provided for, shall be decided by a majority of the members present.

Where and when meetings of council to be held.

Special meetings.

Notice.

Majority necessary to transact business.

Attendance of members; how compelled.

14. The council shall keep a journal of their proceedings, which shall at all times be open to the inspection of any taxpayer of said city; and at the request of one-fifth of the members present the ayes and noes on any question shall be taken, and entered in the journal.

Journal of proceedings; council to keep, and open to inspection. Ayes and noes.

15. All the corporate powers, capacities and jurisdiction of said city shall be vested in and exercised by the council thereof, unless otherwise expressly enacted.

Corporate powers; in whom vested.



Real estate,  
etc.; funds,  
revenues, etc.;  
under whose  
care, etc.

Council; pow-  
er to appoint  
officers.

To have con-  
trol of public  
works, etc.

How money  
appropriated  
and contracts  
entered into.

Ordinance;  
how passed.

Council pow-  
er to pass and  
enforce ordi-  
nances.

Power to in-  
flict fines and  
penalties.  
Failure to  
pay fine;  
what then.

And all the real and personal estate, and the funds, revenues, claims, rights, titles and privileges of said city shall be under the care, management, control and disposition of the council; and for the better administration of the rights, powers, franchises and privileges conferred by this charter upon said city, and upon the council thereof, said council shall have authority, unless otherwise expressly enacted, to appoint by ordinance regulating and defining the powers and duties thereof, providing compensation therefor and fixing their terms of office, such officer or officers, boards, or bodies, for the transaction of the business of the various departments of said city, which shall be committed to them by the council, pursuant to the powers and privileges herein granted to it, and to said city, and who shall have supervision, management and control of such public works, and works of public improvement as shall be committed to them under such regulations as the council shall prescribe and ordain.

16. No money shall be appropriated by the council, and no contracts on behalf of said city shall be entered into or authorized, nor shall any ordinance be passed, unless two-thirds of the members of said council present when the question is put concur therein, or unless the same be concurred in at two successive meetings of the council held on different days by a majority of the members present at each of said meetings.

17. The council shall have authority to pass all ordinances (not repugnant to the constitution and laws of the United States, and this State), which shall be necessary or proper to carry into full effect and power, authority, capacity or jurisdiction which is or shall be granted to or vested in the said city or in the council or any officer or body of officers of said city, and to enforce any or all of their ordinances by reasonable fines and penalties, and by imprisoning the offender or offenders; and upon failure to pay any fine or penalty imposed, by compelling them to labor without compensation, at any of the public works or improvements undertaken or to be undertaken by said city, or to labor at any work which the said city may lawfully employ labor upon, at such a rate per diem as the council may fix, (but not a less rate than is fixed by said council for like labor from other employes of said city), until any fine or fines and costs imposed upon any such offender or offenders by said city shall have been fully paid and discharged, after deducting charges of support while in the custody of the officers of said city; provided, however, that no fine shall be imposed exceeding

twenty dollars, and that no person shall be imprisoned or compelled to labor, as aforesaid, more than thirty days for any one offense. And in all cases where a fine is imposed for an amount exceeding ten dollars, or a person imprisoned or compelled to labor as aforesaid for a term greater than ten days an appeal may be taken from any such decision upon the same terms and conditions that appeals are taken from the judgment of a justice of this State.

Proviso, limiting fine and imprisonment.

Appeal in cases of fine, imprisonment, etc.; when and how.

And the jurisdiction of said city, for police and criminal purposes, shall extend to ordinary high water mark on the southerly bank of the Little Kanawha River, and to all the bridges crossing said river within the boundary of said city.

Jurisdiction for police and criminal purposes.

18. The council shall have authority to provide by ordinance for the appointment of a clerk of said city and a collector of revenue thereof, and of such officers other than those herein mentioned and provided for, who shall be residents and voters in said city, as shall be necessary or proper to carry into effect any authority, power, capacity or jurisdiction which is or shall be vested in said city, or in the council, or in the mayor, or any officer thereof; to grant to the officers so appointed the power necessary or proper for the purpose above mentioned; to define their duties, to fix their terms of office, to allow them reasonable fees and compensation; and shall require and take of all of them whose duty it shall be to receive its funds, assets or property or have charge of the same such bonds, obligations or other writings as they shall deem necessary or proper to insure the proper performance of their several duties.

Power of council to appoint clerk, collector and other officers.

To grant such officers necessary power, etc.; fix their fees, etc.; define their duties.

Bond required of certain officers.

All officers so appointed may be removed from office at the pleasure of the council; and unless their terms of office be otherwise fixed by ordinance, they shall be considered as holding their respective offices at the pleasure of the council.

Removal of such officers.

19. All bonds, obligations or other writings taken in pursuance of any provision of this act, shall be made payable to the city of Parkersburg; and the respective persons and their heirs, executors and administrators bound thereby, shall be subject to the same proceedings on the said bonds, obligations and other writings for enforcing the conditions of the terms thereof by motion or otherwise before any court of record held in and for the county of Wood, that collectors of the county levies and their sureties are or shall be subject to on their bonds for enforcing the payment of the county levies.

Bonds, etc.; how made payable; proceedings thereon.

Power of council to levy and collect taxes; on what property.

20. The council shall have authority to levy and collect an annual tax on real estate, personal property and tithables in the said city, and upon all other subjects of taxation under the several laws of the State, including bank stock, whether owned by persons residing within the limits of said city or not; gas companies; building associations loaning money; and all other incorporated companies; provided, said tax does not exceed one per centum of the assessed value of said property, or the sum of two dollars upon every tithable therein, and not exceeding in other respects, the amount for which the same subjects are taxed for State purposes, which taxes shall be uniform with respect to persons and property within the jurisdiction of said city, and shall only be levied on such property real, personal and mixed, and on capital on which the State imposes a tax; to impose a tax on all licenses, for which a tax is now, or may hereafter be imposed for State purposes in addition to the tax paid the State, which said taxes are to be used for the use of said city. And the council shall have authority to subject any person or persons who, without having paid the tax imposed by said council for the privilege, shall do any act or follow any employment or business in the said city, upon which the council are or shall be authorized to impose a tax, to any fine or imprisonment, which they are or may be authorized to impose or inflict for the enforcement of their ordinances.

Limit.

Tax on licenses.

Power to impose fine on persons doing business without license.

Power of council to appoint assessors.

21. In order to aid the said council, in ascertaining the property and tithables subject to taxation by said city, the council shall have the authority to appoint one or more assessors thereof, and to prescribe by ordinance their duties, qualifications and compensation.

Powers and liabilities of such assessors.

And to aid them, such assessor or assessors shall have access to all books and public records of Wood county, upon payment of reasonable fees and charges therefor, to be fixed by the council of said city, and they shall also have the same power, and be subject to the same penalties in ascertaining and assessing the property and subjects of taxation within said city, as are granted to and imposed upon the county assessors throughout the State, by general law. And the council shall also have authority to prescribe by ordinance, all such other rules and regulations, as may be necessary and proper to enable such assessor or assessors to ascertain and assess all property and tithables liable to be taxed by said city, and to enforce the same by reasonable fines and penalties.

Power of council to prescribe rules and regulations to assist assessors.

Duty of such assessors as to assessments.

It shall be the duty of such assessor or assessors to make an assessment of the property within said city, subject to taxation, substantially in manner and form

in which assessments are made by assessors of the counties in this State, and taxes for city purposes shall be levied only on the values of property as ascertained for State purposes, and such other of personal property ascertained by him, and upon such property so ascertained by him he shall assess the value thereof; but the council of said city shall have the power, upon the application of any person who may feel himself aggrieved by such assessment, to correct the same, and make such orders correcting the same as may be just and proper.

Power to correct assessments; when.

22. In case any person shall neglect or refuse to pay in whole or in part any tax lawfully levied upon him or her, for the benefit of said city, on or before the first day of January, of each year next succeeding the assessment thereof, such person or persons shall be chargeable with interest upon the amount of said taxes, at the rate of one per centum per month until the same are paid, and the officer appointed to collect said taxes shall be chargeable with said interest and required to account therefor. And it shall be lawful for such officers to take reasonable distress of any personal property in said city belonging to such delinquent or delinquents, or in which they shall have any right or interest, and to sell the said property, right or interest, at public sale in said city, (having given ten days' notice of the time and place of sale, by advertisement posted at some public place in said city) and out of the proceeds of such sale, after paying all proper expenses, to pay to the said city the amount which shall be due on account of said taxes and interest, returning the balance, if any, to the owner of the property, right or interest so sold.

Interest on taxes; when chargeable and how collected.

Power of distress on property of delinquents.

How such property sold and proceeds disposed of.

23. In case any taxes levied upon real estate, for the benefit of said city, shall not be paid in full within thirty days after the same shall have become due, it shall be lawful for the officer appointed to collect such tax, to take reasonable distress of any personal property belonging to the owner of said real estate in said city, or in which such owner shall have any right or interest, or of any personal property on the premises taxed, belonging to any person in the possession or occupancy thereof, or in which any such person shall have any right or interest, and apply the proceeds in the manner prescribed in the last preceding section. And the said officer shall have the right to distrain any such personal property, and the same to sell and apply as aforesaid, notwithstanding such personal property be included in any deed, deed of trust, mortgage, bill of

Power of distress in case tax not paid.

Power to distrain personal property mortgaged, etc.

sale, or other writing, made subsequent to the time said tax became due.

Taxes assess'd to constitute lien on real estate.

Priority of such lien.

How enforce'd.

Interest.

Liability of personal property of persons who purchase, etc., real estate with tax lien.

Tenants paying taxes entitled to deduct same from rent.

Real estate returned delinquent; duty of collector as to.

How and when sold.

24. All taxes assessed upon the real estate within said city, for the benefit of said city, shall remain a lien thereon from the time the same are so assessed, which shall have priority over all other liens, except for taxes due the State, county or district, and may be enforced by the council in the same manner now provided by law for the enforcement of the lien for county taxes, or in such other manner as the council may, by ordinance, prescribe; and, if not paid on or before the first day of January, next succeeding the assessment thereof, said lien and taxes shall bear interest at the rate of one per cent. per month until the same be fully paid. And the personal property of every person to whom the said real estate shall come by descent, purchase or gift, or of the person, or persons in possession or occupancy thereof, shall be subject to distress and sale in the same manner and to the same effect as if he, she or they, were originally chargeable with such taxes.

And in all cases in which any tax assessed upon real estate for the benefit of said city shall be paid, in whole or in part, by the tenant, or out of his or her property, he or she shall be entitled to deduct the same out of the accruing rent, or to recover the amount so paid from the owner of such real estate, unless it shall otherwise have been specially agreed. If any real estate within said city be returned delinquent for the non-payment of the taxes thereon, and such return shall be made by the collector thereof, in such manner as the council of said city may prescribe, a copy of such delinquent list may be certified by the council to the auditor of the State, and the same may be sold for the taxes, interest and commission thereon, in the same manner and at the same time, and by the same officer, as real estate is sold for the non-payment of State taxes.

Power of council to alter location of roads, etc.

25. The council of said city having acquired the necessary lands for the purpose, may alter the location of so much of any turnpike, or of any public road, as lies within the corporate limits of said city, in order to conform the same to the general plan of said city, or for any other public purpose.

Power to keep streets, roads, etc., in good order.

26. The council shall also cause all the streets, alleys and public roads lying within the said city, to be kept in good order and condition; but this provision shall not apply to any street or road hereafter opened or dedicated to the public within the corporate limits of

said city by private persons, unless the said council shall have first accepted such street or road as a street of the said city; and the council shall not accept any street or alley as a street or alley of said city which may hereafter be opened and dedicated to the public by private persons, in order to extend any street or alley now established within the corporate limits, until the same has been made to conform in width and direction to the street and alley so extended; and where new streets and alleys are hereafter laid out and dedicated to the public, not in extensions of streets and alleys already established, the council shall not accept any such street until at least sixty feet in width of ground for the entire length of any such street shall have been laid off and dedicated to the city.

Duty of council as to any street or alley dedicated to city.

27. The council shall have the authority within the said city to lay out and cause to be opened any streets, alleys, market grounds and public squares, or to extend or widen the same, to hold and improve public grounds and parks, and to provide for the protection of the same, having first obtained title to the ground necessary for that purpose, and to graduate any street, walk, alley, market ground or public square, which is or may be established within said city; to pave or otherwise improve the same; to cause them to be kept open and in good repair; and generally to ordain and enforce such regulations respecting the same, or any of them, as shall be proper for the health, interest or convenience of the inhabitants of said city. Provided, however, that the right herein conferred upon said city, to obtain title to the ground necessary to open such street, walk, alley, market ground and public square, or to extend or widen the same, is hereby restricted to an action by it in a court of law for the condemnation thereof for such purpose, in the manner prescribed by the general laws of the State governing such actions, and after application to said council to institute such proceedings by at least fifteen owners of property within said city, adjacent to the property proposed to be taken, and no property shall be acquired for such purpose by voluntary purchase from the owners thereof by said council.

Power of council to lay out streets, alleys, etc., and to improve same, etc.

Power of condemnation; how and for what.

Voluntary purchases prohibited.

But in no case shall such street, road or alley be laid in, across or upon the lands used exclusively for gardening, farming, grazing or agricultural purposes, as aforesaid, without the consent of the owner thereof, until the said owner shall have sold or leased the same in lots of one acre or less, or until such owner shall have laid off his said land in lots and offered the same for sale, and commenced the sale thereof; and in no case shall such streets, roads and alleys in connection there-

What lands such street, etc., not to be laid in, across or upon without the owner's consent, until, etc.

What else must be done before adopted by council.

What must be done to change grade.

Power of council to erect city hall, market house; to establish public libraries and maintain same.

Work-house, jail, house of refuge and other buildings.

Use of county jail allowed.

Duty of sheriff.

Burial of dead and cemeteries; authority as to,

Power of council to take land for streets, etc., and other public purpose.

with, as so laid off, be adopted by the council until the same is surveyed and the grade established by the owner thereof, and accepted and received by said council and adopted by it, and the plat thereof ordered by said council to be recorded in the office of the clerk of the county court of said Wood county and filed among the records of said city. And when work or improvement shall be undertaken or made by said city upon such streets, roads or alleys, no change in the grade as established as aforesaid, shall be made by said city, before the owners of the property abutting the same shall assent thereto in writing, or before the damage to the property abutting the same, by reason of such change of grade, shall be ascertained and agreed upon between the city and the owners thereof.

28. The council shall have authority to erect a city hall and market house or houses, and to regulate the same; to establish and maintain free public libraries and reading rooms, and purchase books, papers and manuscripts therefor, and receive donations and bequests of money and property for the same in trust or otherwise, and to appoint officers, agents or trustees to manage the same in such manner as it shall by ordinance prescribe; and to erect a work house, jail, house of refuge or infirmary, and other buildings necessary for said city; and until such jail is erected and prepared for the reception of persons, the said city shall be allowed to use the county jail of Wood county for the confinement of all persons who shall be sentenced to imprisonment under the ordinance of said city; and all persons confined shall be under the charge and custody of the sheriff of said county, who shall receive, keep and discharge the same in such manner as shall be prescribed by the ordinance of said city or otherwise by due course of law. And said council shall have authority to regulate the burial of dead within said city, and to preserve the peace within the cemeteries therein, to keep the same in good repair, and in general to have such care and control over said cemeteries as will promote the public good.

29. The council shall have authority to take and use, in the manner prescribed by this act, any lot or lots, parcel or parcels of ground or any part thereof in said city for streets, alleys or market grounds or for any other public purpose provided for by this act, or any general statutes of this State, upon making to the owner or owners thereof adequate compensation therefor.

30. The council shall have authority, after having laid

now or heretofore a suitable curb of stone, brick or other material along and for the same, to have the footways or sidewalks of the streets and alleys of said city paved by the owners or occupiers of the lots or parts of lots facing upon said streets or alleys, and in case they or any of them refuse to pave the same when required, it shall be lawful for the council to have the same paved and such paving repaired, and recover the expense thereof from the said owner or owners, occupier or occupiers or any of them, by distress and sale in the same manner in which taxes levied upon real estate for the benefit of said city are hereinbefore authorized to be collected, and shall remain and be a lien upon the said lots or parts of lots the same as taxes levied upon real estate in said city, which lien may be enforced by a suit in equity before any court having jurisdiction as other liens against real estate are enforced: Provided, however, that reasonable notice shall be first given to the said owners or occupiers, or their agents, that they are required to pave the side footways, or sidewalks, or repair such paving. In case of non-resident owners who have no known agents in said city, such notice may be given by a publication for not less than four successive weeks in any newspaper printed in said city. And in all cases where a tenant shall be required to pave or repair such paving, in front of the property in his or her occupation, the expense of paving or repairing the same may be deducted out of the accruing rent for said property. He or she may recover the amount so paid from the owner, unless otherwise especially agreed.

Power of council to have sidewalks or footways paved, and repaired.

When owners of lots refuse to pave; what then.

How such expense recovered.

Notice to be given owners.

Notice to non-residents.

When tenant required to pave, may offset against rent; or recover of owner.

31. Upon the petition of the persons owning the greater part of the lots fronting or bounding on both sides of any street or alley, between any two streets, the council shall be authorized to order said street or alley to be paved between the curbs with cobble stone, brick, or other suitable material, or to be macadamized, under such supervision as it shall direct by ordinance, upon the lowest and best terms, to be obtained by advertisement for bids or proposals therefor, and two-thirds of the cost of such paving or macadamizing from the curb on either side of to the middle of the street or alley shall be assessed to the owner of the lots or fractional parts of lots fronting or abutting on such streets or alleys in proportion to the distance so fronting or abutting owned by each. The one-fourth thereof shall be paid within thirty days after the completion of the work, and the remainder in three equal installments, payable, respectively, at such times as the council may by ordinance fix at the time of letting the contract for such work.

Duty and power of council to pave street or alley when petitioned.

Cost of such paving; against whom assessed.

When to be paid.



City to pay one-third. The other one-third of the costs of said paving or macadamizing shall be paid by the city.

What paving city to pay sole expense of. The intersection of streets or of a street or alley paved or macadamized, under this section, shall be paved or macadamized at the sole expense of the city.

Assessments for paying a lien upon lots. The sum or sums of money thus assessed for paving or macadamizing shall be a lien upon the lots or fractional parts of lots upon which they are assessed, which lien may be enforced by a suit in equity in any court having jurisdiction thereof, or the same by any installment thereof may be collected by a suit at law before any court or any justice of the peace having jurisdiction thereof.

How such lien enforced.

Power of council to levy and collect annual tax for new paving or macadamizing. Limit to such tax. 32. The council is hereby authorized, in addition to their present authority, to levy and collect an annual tax, for the purpose hereinafter named, on the personal property and real estate in said city, subject to taxation by said city, not to exceed in any year ten cents on every one hundred dollars of the assessed valuation thereof; the money so collected shall be used for the purpose of paving or macadamizing streets or alleys in said city, and such money shall in no case be used to pay for repairs of streets or alleys or for anything except new paving or macadamizing.

Money collected under last two preceding sections to be in addition to money assessed and collected for other purposes; use of, restricted. 33. The money collected by virtue of the last two preceding sections shall be assessed, levied and collected, in addition to the money assessed, levied and collected for other purposes by the said city under present laws, and the funds raised by virtue thereof shall be used for no other purpose than that for which it is therein and thereby authorized to be assessed, levied and collected; and the use of such funds for any other purpose may be restrained by injunction upon a bill filed by any one or more of the tax-payers of said city.

Duty of council before levying taxes; what to ascertain. 34. The council of said city shall annually before levying taxes provided for and authorized by this act, through such committees as it shall direct, ascertain the total expenses of said city to be provided for by said levy for the year ensuing such levy, in which it shall ascertain the sum of money necessary to pay interest accruing on the bonded indebtedness of said city and for the reduction of the principal thereof; what it shall expend for the support of its various departments, and for the improvement of its streets, alleys, wharfs and public grounds, or for its contingent expenses; and before making such levy it shall apportion the rate thereof among the several funds so ascertained and provided for, which said apportionment shall be spread upon the

Apportionment to be made and spread upon the records.

records of the council, and the funds raised by such levy shall be used for no other purpose than that for which it is directed by the apportionment aforesaid, and the use of such funds for any other purpose may be restrained by injunction upon a bill filed by any one or more of the taxpayers of said city.

Use of funds for any other purpose than that directed by the apportionment may be restrained.

35. If any member of the council or member of any board of public works, or any other officer of the said city, shall in any way become interested, directly or indirectly, in any contract for labor and material to which said city shall be a party, he shall be deemed guilty of a misdemeanor, and shall be fined not to exceed five hundred dollars or imprisoned not to exceed six months, or both, fined and imprisoned, at the discretion of the court, and his office shall be deemed vacated.

No officer shall be interested in any contract for labor, etc.

Fine and penalty.

36. It shall be lawful for the council to ordain and enforce such regulations as shall be necessary or proper to prevent accidents by fire within said city, or to secure the inhabitants thereof as far as practicable from injury thereby, and especially to cause the removal of any building or other combustible material which may in their opinion endanger the adjacent property by its liability to take fire, the expense of which to be levied on the owner or owners of the same, and collected as taxes levied for the benefit of the said city are collected; to provide for the establishment, organization, equipment and government of fire companies in said city, and for the purchase of fire engines and other fixtures necessary therefor; and to ordain suitable regulations for the storage of all gunpowder or other combustible and dangerous articles, and to ordain and enforce such regulations as they may deem necessary respecting the place and manner of keeping the same.

Power of council to prevent accidents by fire, etc.

37. The council shall have authority to pass such ordinances as shall be necessary or proper to secure the inhabitants of said city against thieves, robbers, burglars and all other persons violating the public peace of said city; for the suppression of riots and gaming; and for the prevention and punishment of vagrancy, of lewd, lascivious, indecent or disorderly conduct, in said city; to prevent loitering on the streets, to organize and maintain a police department, and to prescribe the duties, and to define the powers of the several officers, members and classes thereof, in such manner as will most effectually preserve the peace and good order of said city, and secure the inhabitants thereof from personal violence, and their property from fire or other loss or injury.

Ordinance against thieves, burglars, etc.

Gaming; vagrancy; loitering on streets;

Council to organize police department; define powers, etc.

Ordinances to preserve the health of citizens; power and duty of council as to.

38. The council shall have authority to ordain and enforce such regulations within said city as shall be necessary or proper to preserve the health of the inhabitants of said city, and to secure them from contagious, infectious or other diseases; to require and compel the abatement and removal of all nuisances within said city, at the expense of the person or persons causing the same, or of the owner or owners of the ground whereon the same shall be. They shall further have authority to prevent or regulate slaughter-houses within said city, or the exercise of any offensive or unhealthy business, trade or employment therein, or to ordain and enforce such regulations respecting the same, as the comfort, health or convenience of the inhabitants of said city shall require; to prevent the keeping of any stale meats, fish, vegetables or other matter, or the depositing the same, or any dirt, rubbish, offal or other substance upon any lot, street, alley, wharf or square inside the city, or upon the banks of the river within the limits of the said city, and to prevent hogs, dogs, or other animals from being kept in or from running at large in said city, or to subject the same to such regulations and taxes as they may deem proper.

Dogs and hogs.

Stagnant water; power and duty of council as to.

39. In case any ground in said city shall be subject to be covered by stagnant water, or if the owner or owners, occupier or occupiers thereof, shall permit any offensive or unwholesome substance to remain or accumulate thereon, it shall be lawful for the council to cause such ground to be filled up, raised or drained, or to cause such substance to be covered, or to be removed therefrom, and to collect the expense of so doing from the owner or owners, occupier or occupiers, in the manner, and after the notice, required by section thirty of this act, and the tenant of any such lot may have the deduction and remedy provided for in said section.

Power of council to establish markets, and to regulate same.

40. The council shall have authority within said city to establish an assize of bread and other things; to establish markets in and for said city; to appoint the time and place for holding the same; to provide suitable buildings therefor; and to ordain and enforce such regulations respecting the said markets as in their opinion the convenience or interest of the inhabitants of said city may require. They shall further have authority to ordain and enforce such regulations as shall be necessary or proper to prevent forestalling or regrating.

41. The council shall have authority to establish and construct landings, wharves and docks, and to repair,

alter or remove any landing, wharf or dock which has been or shall be so constructed; and to establish and collect rates and taxes for using in any manner the landings, wharves and docks belonging to said city. And they shall further have authority to pass and enforce such ordinances as shall be proper to keep the same in proper order and repair; to preserve peace and good order at the same, and to regulate the manner in which they shall be used.

Power to establish landings, wharves, etc., and to repair, alter or remove same; to collect rates and taxes for using; to preserve order at, etc.

42. It shall be lawful for the council to prevent the practice of firing guns, crackers, or any combination of gun-powder or other combustible or dangerous materials, and the throwing of fire balls, within the said city; and to prevent the riding or driving of horses or other animals, at an improper speed within the limits of said city; and generally they shall have authority to ordain and enforce all such by-laws, ordinances, rules and regulations, not inconsistent with the constitution and laws of the United States or of this State, as they shall deem necessary or proper for the peace, good order, health or safety of said city or the people or property therein.

Firing guns, et c. in corporation; power and duty of council as to.

Fast riding and driving.

43. The council shall not use, or take, or damage any private property for streets, alleys, market grounds, landings, wharves, docks or other public purposes, without making to the owner or owners thereof full and adequate compensation for the same.

Private property not to be taken without compensation.

And in all cases it shall be lawful for the city to apply to the circuit court of Wood county for the condemnation thereof in such manner as is provided by general statute of this State, for the condemnation of private property for public uses.

Condemnation of property; how.

44. The council shall have authority to provide for the proper weighing or admeasurement of all hay, stone, coal, lumber, wood, boards and spirituous liquors and wines, which shall be offered for sale in said city. They shall also have power to grant, refuse or revoke licenses, to owners or keepers of hacks, carts or wagons, drays, and of every other description of wheeled carriage kept or used for hire in said city; to levy and collect a tax thereon, and to subject the same to such regulation, as the interest or convenience of the inhabitants of said city, in the opinion of the council, shall require; to grant, refuse and revoke licenses to theatrical exhibitions, public shows, musical performances, and all performances by which admission is obtained by the payment of money or other rewards, and to levy and collect these taxes on the same; and to grant, revoke and re-

Power of council to provide for weighing and admeasurement of certain articles. License to owners of hacks, etc.; tax thereon.

License to theatrical exhibitions, etc.; tax thereon.

**License to sell whisky, etc.;** fuse any license to sell or offer for sale, and to prohibit the sale or offering for sale, of any brandy, whisky, rum, gin, wine, porter, ale, or beer, or any other spirituous, vinous or malt liquors, or any intoxicating liquor, drink or mixture or preparation whatever, within said city or within one mile of the corporate limits thereof, and to enforce the authority hereby granted by reasonable fines and penalties.

**Licenses to be issued by clerk; when delivered.** 45. All licenses shall be issued by the clerk of said city, and they shall not be delivered to the person or persons applying therefor, until the tax assessed and levied thereon has been paid to the proper officer of said city.

**Taxes and fines to inure to benefit of city.** 46. All taxes which the council are or shall be authorized to levy and collect, and all fines and penalties which may be imposed and collected, for violations of the laws and ordinances of said city, shall inure to the exclusive benefit of said city. And all moneys received or collected for the use of said city, shall be paid into the city treasury, and shall not be drawn therefrom except as the council may order or prescribe, and they shall, once at least in every year, cause to be published in some newspaper printed in said city, a statement of the receipts and expenditures of said city for the past year.

**Where paid and how drawn.**

**Statement to be printed.**

**Printed and certified copies of ordinances received in evidence.** 47. All copies purporting to be copies of the ordinances of said city, or extracts from the journal of the council, which shall be printed by authority of the council, or which shall be certified to be correct by the mayor of said city, under the seal thereof, shall be received by all courts and justices of this State as prima facie evidence of the tenor of such ordinances and of the acts and proceedings of the council as herein set forth.

**Recorder; when and how elected.** 48. The council elected in one thousand eight hundred and eighty-seven, and every two years thereafter the council in power, shall elect a recorder, who shall be a citizen of said city and entitled to vote therein, who shall not be a member of the council, and whose salary shall not exceed the sum of one thousand dollars per annum. He shall be a conservator of the peace within said city, and have and exercise therein all the criminal and police powers and duties which a justice of said county of Wood may lawfully exercise. He shall have the power to hear and determine all complaints for violations of the laws or ordinances of said city; to issue his warrant to summon or apprehend the per-

**His salary.**

**His powers and duties.**

sons charged therewith; and to impose such penalties and punishment as are prescribed by the said laws and ordinances. He shall also have jurisdiction to hear and determine all actions for any moneys claimed by or from the said city, where the amount does not exceed thirty dollars; and in all cases to issue his execution or enforce such fines, punishments and judgments in the same way as are prescribed for offenses against the State.

49. It shall be the duty of the mayor, when present, to preside at the meeting of council, and to keep the seal of the said city, and do and perform such duties or services as the council may ordain not inconsistent with this act, or the laws and constitution of the State or of the United States. He shall also, within the said city, be a conservator of the peace, and shall have the power and jurisdiction—criminal, police, and civil—as are or may be conferred upon the recorder. Vacancies in the office of mayor or recorder may be filled by the council or the remaining members thereof. And the said mayor, when presiding at any meeting of the council, shall have no vote upon any question before the council, except in case of a tie, when he shall give the casting vote.

Mayor; to preside at meetings of council; his powers and duties.

Vacancies in office of mayor and recorder; how filled. Mayor to vote only in case of tie.

50. In case of the absence of the mayor from any meeting of the council, the council may designate some one of their body to preside at such meeting, who shall perform the duties of mayor in his absence, and during his inability to act.

Who to preside in case of absence of mayor.

51. The mayor of said city shall have the veto power, and in every case of the appropriation of money, or the passage of any ordinance or resolution by the council, he shall have authority to return the same to the next regular meeting of the said council with his objections, and in every case, the same shall have no force nor effect, unless it be subsequently passed by two-thirds vote of the said council; provided, however, that any item of any order appropriating money not disapproved by the mayor in such veto shall have the force and effect according to the provisions of the order appropriating the same.

Veto power vested in mayor.

52. The council shall have authority annually to appoint a collector for said city, who shall be a citizen of said city and entitled to vote therein, and may allow, such collector, such deputy or deputies as they may think proper. No deputy, however, shall be appointed without the consent of the council; and the principal

Collector; when and how appointed.

Deputy collector.

- Responsibility of principal.** shall always be responsible for the acts of his deputy, to the same sense and extent that a sheriff of any county in the State is liable for his deputies. The council shall require of the collector such bond, and in such penalty, as they may think proper, to insure the performance of his duties; and shall have authority to define his duties, fix his compensation and to remove him at their pleasure from office, and to fill any vacancy in the said office, should any such occur.
- Bond.**
- Compensation and vacancy.**
- Present mayor, recorder and councilmen to remain in office; how long.** 53. The present mayor, recorder and councilmen of the said city, shall remain in office, and exercise the same powers and perform the same duties as are prescribed for the mayor, council and recorder, in the laws and ordinances of said city in force previous to the passage of this act, until an election for such mayor and councilmen, and the qualification thereof, be held under this act.
- Oath of officers.** 54. All officers who shall be elected or appointed under this act shall, before entering upon the duties of their respective offices, take, in addition to the oath to perform the duties of their office honestly and to the best of their skill and judgment, an oath to support the constitution of the United States and of fidelity to this State.
- Former laws repealed, except as to authority to borrow money or contract debts, and powers conferred by general law, unless inconsistent with this act.** 55. All acts or parts of acts inconsistent with this act are repealed; but this act shall not be construed to repeal, change or modify any previous act inconsistent with this act authorizing said town to contract debts, or borrow money, or to take away any of the powers conferred upon said city, or upon the mayor and council or any of the officers thereof, conferred by general law, except so far as the same may be inconsistent with the powers hereby conferred.
- Present council to provide for putting this act in force and effect.** 56. The council in being at the time this act shall take effect shall appoint and provide places for voting in the several wards in said city, as herein prescribed for the election herein provided for to be held in said city on the first Monday in April, one thousand eight hundred and eighty-seven, and appoint the election officers thereof, and shall pass all proper ordinances and orders to give this act full force and effect.

[Approved March 1, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

## CHAPTER XXVII.

AN ACT to transfer the interest of this State in the Morgantown Bridge Company to the county of Monongalia.

[Passed February 23, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That the interest which belongs to the State in the Morgantown bridge company, in Monongalia county, in the suspension bridge across the Monongahela river, be and the same is hereby transferred with all the rights, privileges and powers of the State, pertaining thereto, to the said county of Monongalia. Morgantown Bridge Co.; Stat's interest in transferr'd.

*Provided*, That the said county shall, by purchase or otherwise, become the sole owner of said suspension bridge, and forever keep and maintain the same, as a public bridge, under such limitations and provisions as the proper authorities of said county may prescribe. Conditions of such transfer.

[Approved February 24, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER XXVIII.

AN ACT to amend and re-enact section sixty-four, of chapter twenty-nine, of the Code of West Virginia, as amended and re-enacted by the Acts of one thousand eight hundred and hundred and eighty-one.

[Passed February 23, 1887.]

Be it enacted by the Legislature of West Virginia .

1. That section sixty-four, of chapter twenty-nine, of the code of West Virginia, as amended and re-enacted by the acts of one thousand eight hundred and eighty- Acts 1881. amended.



one, be amended and re-enacted, so as to read as follows :

Assessor to ascertain and assess capital of incorporated companies, except railroads, etc.; how.

Real estate of such corporations; how assessed.

Deductions from money, credits, etc.; not from aggregate. Branches; where assessed.

Navigation companies, etc., property, where and how assessed and taxed.

Personal property of such companies not to be taxed; when.

Shares not to be assessed to individuals.

64. He shall ascertain from the proper officers or agents of all incorporated companies in his district (except railroads and foreign insurance, telegraph and express companies), the actual value of the capital employed or invested by them in their trade or business (exclusive of real estate and property exempt by law from taxation), and enter the same in his personal property book. The real estate of such companies shall be assessed and entered in the land book as in other cases. The value of the capital shall be estimated by taking the aggregate value of all the personal property of the company, not exempt from taxation, wherever situated, including their money, credits and investments, whether in or out of the State, and deducting from the said money, credits and investments and not from said aggregate, what they owe to others as principal debtors. If a company have branches, each branch shall be assessed separately in the district, where the principal office for transacting its financial concerns is located, or if there be no such office, then in the district where its operations are carried on. All property of navigation companies and other joint stock transportation companies (except railroads), whether real or personal, shall be taxed in the county and district wherein such property is situated, and all locks and dams of navigation companies shall be assessed and taxed as real estate, in the county in which said locks and dams are situated, and it shall be the duty of the assessor of each district to assess such property as herein before directed. When the capital of a company is assessed as aforesaid, the personal property thereof, which shall not be held to include the locks or dams of a navigation company, shall not be otherwise assessed, nor shall any individual share-holder or partner therein be required to list or be assessed with his share, portion or interest in the said capital.

[Approved March 2, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XXIX.

AN ACT to amend and re-enact chapter thirty-two, of the Code of West Virginia, concerning "Regulations respecting licenses," etc., and chapter thirty-three of said code, concerning "Amount or rate of tax on each subject of taxation," and to consolidate both of said chapters into one; and to repeal chapters one hundred and seven and one hundred and eight of the Acts of one thousand eight hundred and seventy-seven.

[Passed February 23, 1887.]

Be it enacted by the Legislature of West Virginia:

1. That chapters thirty-two and thirty-three, of the code of West Virginia, are hereby amended and re-enacted and consolidated into one chapter, so that they shall be and read as follows:

Chapters 32 and 33, code, amended and consolidated.

## CHAPTER XXXII.

Regulations respecting licenses—Injuries to persons arising from illegal sales of intoxicating liquors—Remedy therefor, and amount or rate of tax on each subject of taxation.

*For What a State License is Necessary.*

1. No person without a State license therefor shall keep a hotel or tavern, eating-house or restaurant, or furnish intoxicating drinks or refreshments at a public theatre, or sell, offer or expose for sale, or solicit or receive for or keep in his possession for another, spirituous liquors, wine, porter, ale or beer, or any drink of a like nature. And all mixtures, preparations or liquids which will produce intoxication, whether they be patented or not, shall be deemed spirituous liquors within the meaning of this section. Nor shall any person without such license carry on the business of a distiller or brewer of whisky, brandy, beer, porter or ale;

What business shall not be pursued without license.

What deemed spirituous liquors.

Brewer, druggist; keeper of bowling alley, &c. or carry on the business of a druggist, or keep for public use or resort a bowling alley, billiard table, pool table, bagatelle table, or any table of like kind; or a shooting gallery or a skating rink: Provided, that the word "eating-house" in this section shall not apply to farmers who furnish meals to travelers and others passing.

Circuses, menageries, theatrical performance's, &c.; license required to exhibit.

Hawkers, peddlers, brokers, private bankers, pawnbrokers, &c.; to have license.

Patent rights.

Corporations to be licensed; what.

Agents for lightning rods, sewing machines, etc.; to be licensed.

Penalty for failure to obtain license.

Who exempt from licenses; business enumerated.

2. No person without a State license therefor shall exhibit any circus, menagerie, circus and menagerie combined, theatrical performance or public show, to which admission is obtained for money or other reward, or act as hawker or peddler, or act as auctioneer, or practice the business of a stock or other broker by buying or selling for others, stocks, securities or other property for a commission or reward, or practice the business of a money broker, or private banker, by buying or selling uncurrent or depreciated money or funds, or exchanging one kind of money or funds for another, for profit or reward, or practice the business of a pawnbroker by lending money or other thing for profit for or on account of personal property deposited with the lender in pledge. Nor shall any person, without a State license therefor, sell or barter, or offer or expose for sale or barter, any patent right.

Nor shall any corporation heretofore or hereafter chartered under the laws of this State, whether the same have its principal place of business or chief works within or without the State, do or attempt to do any business, by virtue of its charter or certificate of incorporation, without a State license therefor.

Nor shall any traveling agent, canvasser or salesman sell, or contract to sell, any lightning rod, sewing machine, or organ or other musical instrument, without a State license therefor, whether any such article was manufactured within or without this State.

#### *Penalty for Acting Without License.*

3. Any person violating either of the two preceding sections shall, except where it is otherwise provided herein, for every such offense, forfeit not less than ten, nor more than one hundred dollars, and may, at the discretion of the court, be imprisoned in the county jail not exceeding three months.

#### *License not Required in Certain Cases.*

4. This chapter shall not be construed to require license to keep a boarding house or boarding school, where boarders are not received for less than three days;

or to require any person having license to sell spirituous liquors or wine at retail to obtain another license to sell porter, ale or beer, or any drink of like nature, at the same place; or to prohibit a druggist from selling without license spirituous liquors or wine, in good faith, for medicinal purposes, or alcohol for medicinal, scientific, or mechanical purposes; or to require any incorporated bank, savings bank or savings institution to obtain license as a broker or private banker; or to require any resident of this State to obtain a license to exhibit any work or production of his own invention or skill; or to require license for any school exhibition, literary or scientific lecture, or musical concert; or to affect any person furnishing refreshments at any public dinner, fair, festival or celebration; or any trustee selling trust property; or any personal representative or committee selling property belonging to the estate under his charge; or any officer or commissioner selling property under the order, decree, execution or process of any court of justice of this State or of the United States; or any colporteur or person selling religious books.

*Sales by Druggists.*

5. If any druggist shall sell spirituous liquors or wine, unless for medicinal purposes; or alcohol, unless for medicinal, scientific, or mechanical purposes, he shall, for each and every offense, be fined not less than twenty nor more than one hundred dollars; and it shall be the special duty of the circuit court to give this provision in charge to the grand juries of their respective courts.

For what purposes druggists may sell spirituous liquors, etc., without license.  
Duty of circuit court as to this provision.

And if any person, except a druggist, be found upon or along any of the rivers constituting the boundary line between this and any other State, engaged in a violation of the first section of this chapter, in addition to the penalty prescribed in section three, he shall be confined in the jail of the county not less than thirty nor more than sixty days, and during such sentence he shall work at hard labor upon any public highway of the county, under the custody of the sheriff, or his deputy, at such place or places as the court may direct.

Certain violations by other than druggists; penalty for.

6. In any prosecution against a druggist for selling alcohol, spirituous liquors or wine, without a license therefor, if the sale be proven, it shall be presumed that the sale was unlawful in the absence of satisfactory proof to the contrary. No sale of alcohol, except for mechanical or scientific purposes, spirituous liquors or wine shall be made by any druggist under the provisions of this chapter, except upon the written prescrip-

In prosecutions against druggists, upon proof of sale, what presumption arises.  
What prescription required for sale of intoxicants; what it must state.

tion of a practicing physician in good standing in his profession, and not of intemperate habits, specifying the name of the person and the kind and quantity of liquors to be furnished him, and stating that such liquors, so prescribed, are absolutely necessary as a medicine for such person, and are not to be used as a beverage, and not more than one sale shall be made upon the same prescription. And the production of such prescription by the defendant at the trial of an indictment against him for the sale of the alcohol, spirituous liquors or wine mentioned therein, shall be sufficient to rebut the presumption arising from the proof of such sale as hereinbefore provided for, if the jury believe, from all the evidence in the case, that the sale was made in good faith, under the belief that such prescription and statement were true.

But one sale to be made on a prescription.

Effect of prescription in evidence.

Physicians giving false prescriptions, &c.; penalty for.

Prescriptions to be filed and kept; who may inspect.

Failure to produce; penalty for.

7. If any physician shall, for the purpose of aiding a druggist or other person in the violation of any of the provisions of this chapter, or otherwise, give such prescription and make such statement falsely, he shall be guilty of a misdemeanor and fined not less than fifty nor more than two hundred dollars. Every such prescription and statement shall be filed and preserved by the druggist selling such liquors thereon, and the same shall be open and subject to the inspection of the prosecuting attorney of the county, or any member of a grand jury thereof, or any relative of the person to whom such liquors were sold; and any druggist, or person in charge of such prescriptions and statements, who shall wilfully fail or refuse to produce the same, when demanded for inspection by any of the persons aforesaid, shall be guilty of a misdemeanor and fined not less than twenty nor more than one hundred dollars.

#### *Certain Provisions Respecting Tavern Licenses.*

What deemed a hotel or tavern.

Keepers of hotels, &c.; what required of.

Failure to comply; how punished.

8. Every house where food and lodging is usually furnished to travelers, and payment required therefor, shall be deemed a hotel or tavern. Every person licensed to keep a hotel or tavern shall constantly provide the same with lodging and diet for travelers and their servants, and with stableage and provender, or pasturage and provender, as the season may require, for their horses; but if such hotel be in a city, village or town, the council may, if the applicant desire it, dispense with the necessity of providing for horses. If any person so licensed, fail to comply with this section, the license may be revoked pursuant to the twenty fourth section; and shall always be revoked if it appear that the principal object in obtaining the same is not to

provide lodgings and diet for travelers and their servants, but to use it as a facility for selling intoxicating liquor.

When license shall always be revoked.

9. The State tax on a license to keep a hotel or tavern shall be determined by the yearly value of the premises occupied for that purpose. The assessor may require the proprietor, and if the premises be leased or rented, the tenant, to declare on oath the amount of rent agreed to be paid; and if either of them refuse to do so, the person so refusing shall forfeit not less than twenty nor more than one hundred dollars. From such information, if obtained, and a comparison of the premises, where it is in his power, with other premises actually leased or rented, and other circumstances affecting the value, the assessor shall estimate the yearly value to the best of his judgment, taking into consideration, not only the house itself, but all the lots, gardens, stables, outhouses, booths and watering places, held and used therewith, but excluding the contiguous farm and farm houses.

Tax on hotel license; how determined.

Duty of assessor.

#### *How State Licenses are Obtained.*

10. The State licenses mentioned in the first section shall be issued only when authorized by the county court of the county, or other tribunal therein acting in lieu of the county court, except that where the act, occupation or business for which such State license is necessary is to be done or carried on in an incorporated city, village or town, the license shall be issued only when authorized, under the charter of said city, village or town, by the council thereof. *Provided*, that no license shall be issued for the sale of intoxicating liquors within two miles of the limits of any such incorporated city, town or village, in which there is no such license, without the consent of the council thereof be first obtained.

Issuing of licenses; how authorized.

Proviso as to license to sell intoxicants.

11. Every person desiring to obtain a State license shall apply for a certificate thereof to the assessor of the proper assessment district. If he desire such license for any purpose named in the first section, he shall, if the business is to be carried on in an incorporated city, town or village, wherein the municipal authorities are vested with the sole power of granting such license, deliver to the assessor a copy of the order or resolution authorizing such license, and in other cases he shall deliver to the assessor a copy of the order of the proper county court, or other tribunal acting in lieu thereof; and if the business is to be carried on in an incorporated, city, town

What necessary before obtaining license.

or village, wherein the authorities are not vested with the sole power of granting licenses, and the charter of which requires the assent of the municipal authorities thereof to the issuing of such license, he shall also deliver a copy of the order of said authorities authorizing such license, which copies must be authenticated by the signature of the clerk of such court, or of other tribunal acting in lieu thereof, and by the clerk or other proper officer of the council of such city, town or village. The assessor shall thereupon deliver to the applicant a certificate of the license to be obtained, and the amount of tax to be paid thereon to the State, which certificate shall be conformable in other respects to the provisions hereinafter contained. Such certificate shall be produced by the applicant to the officer to whom the State tax is to be paid; and his receipt for such tax, written on the certificate, shall be sufficient license, while it remains in force, to the person and for the purpose specified in the said certificate, except so far as is otherwise provided in this chapter.

Assessor's certificate; what to show.

To whom applicant to produce certificate.

Receipt written on certificate, for tax, a sufficient license, etc.

Assessor may obtain certificate from clerk of county court.

Duty and liability of clerk in such cases.

12. An assessor may obtain a certificate for a State license from the clerk of the county court, or other tribunal acting in lieu thereof, in the same manner as another person may obtain such certificate from the assessor. And the clerk, in relation to such certificate issued by him, shall perform the same duties, and be subject to the same penalties, as the assessor would be in relation to the certificate issued by such assessor.

*Power of City, Village or Town Council not to be Impaired.*

License not to exonerate from penalty imposed by council of city, &c.

13. Where the council of a city, village or town are authorized by its charter or any law of the State to impose a penalty for doing any act, or engaging in any business or occupation, within the limits of such city, village or town without first having obtained license therefor pursuant to the ordinances of said city, village or town, no State license shall exonerate the person holding the same from any such penalty.

*Certificate of Character and Qualification Required in Certain Cases.*

Applicant for license under first section not to be of intemperate habits.

14. Neither the county court, or other tribunal acting in lieu thereof, nor any city, village or town council, shall authorize any license mentioned in the first section, unless satisfied, and so enter upon its record, journal or minutes, that the applicant for such license is not of intemperate habits.

15. The granting of a license to any person, to carry on the business of a druggist, shall not be construed to authorize him to carry on said business until he has fully complied with the provisions of chapter fifty-two of the acts of one thousand eight hundred and eighty-one, and the amendments thereto contained in chapter one hundred and twelve of the acts of one thousand eight hundred and eighty-two, concerning pharmacy, nor to protect him from any penalty or forfeiture prescribed by said act.

License to druggist not to authorize carrying on business unless certain law be complied with, nor to protect from any penalty, etc.

16. If any person, having a State license to sell spirituous liquors, wine, porter, ale, beer or any other intoxicating drink, shall sell or give any such liquors or drinks to any minor or person of unsound mind, or to any person who is intoxicated at the time, or who is in the habit of drinking to intoxication, or if he permit any person to drink to intoxication, when he knows, or has reason to believe, such person is a minor or of unsound mind, or is intoxicated, or is in the habit of drinking to intoxication, on any premises under his control, or sell or give any intoxicating drink to any one on Sunday, he shall be guilty of a misdemeanor and fined not less than twenty nor more than one hundred dollars.

Selling or giving liquor to minors, persons of unsound mind, intoxicated persons, &c., or selling on Sunday; penalty therefor.

17. A sale of any such liquors or drink by one person for another shall, in any prosecution for such sale, be taken and deemed as a sale by both, and both may be indicted and fined therefor, either jointly or separately.

Sale by one person for another; both may be indicted, etc.

18. All houses, buildings and places of every description where intoxicating liquors are sold or vended contrary to law, shall be held, taken and deemed to be common and public nuisances, and may be abated as such upon the conviction of the owner or keeper thereof, as hereinafter provided; and courts of equity shall have jurisdiction by injunction to restrain and abate any such nuisance upon bill filed by any citizen.

Buildings where intoxicants sold contrary to law; how treated.

Equity jurisdiction over.

19. The owner of any house, building or other place mentioned in the next preceding section, who sells or knowingly permits intoxicating liquors to be sold or vended therein contrary to law, and every person engaged in any such unlawful sale in any such house, building or place, may be indicted for keeping and maintaining a common and public nuisance, and upon conviction thereof he shall be fined not less than twenty nor more than one hundred dollars, and, at the discretion of the court, imprisoned in the county jail not less

Owner of building when law is violated; how punished.



What judgment to be given regarding building.

Liability of violators, to husband, wife, child, parent, &c., for damages.

Proviso as to existing leases.

Damages recovered; how governed.

Forfeiture of lease, when.

Suits for damages; how brought.

Landlord may sue on bond, when; what recovery.

Exception as to property of married women, infants, etc.

than ten nor more than thirty days; and judgment shall be given that such house, building or other place be abated or closed up as a place for the sale of such liquors contrary to law, as the court may determine.

20. Every husband, wife, child, parent, guardian, employer or other person, who shall be injured in person or property, or means of support, by any intoxicated person, or in consequence of the intoxication, habitual or otherwise, of any person, shall have a right of action in his or her name, severally or jointly, against any person who shall, by unlawfully selling or giving intoxicating liquors, have caused the intoxication, in whole or in part, of such person or persons; and any person or persons owning, renting, leasing, or permitting the occupation of any building or premises, and having knowledge that intoxicating liquors are to be sold therein, or who having leased the same for other purposes, shall knowingly permit therein the sale of any intoxicating liquors that have caused, in whole or in part, the intoxication of any person, shall be liable severally and jointly, with the person or persons selling or giving intoxicating liquors aforesaid, for all damages sustained, and for exemplary damages: Provided, that this section shall not apply to any lease now existing; and married women shall have the same right to bring suits and to control the same and the amount recovered as a feme sole, and all damages recovered by a minor, under this chapter, shall be paid either to such minor or his or her parent, guardian or next friend, as the court shall direct; and the unlawful sale or giving away of intoxicating liquors shall work a forfeiture of all rights of the lessee or tenant under any lease or contract of rent upon the premises where such unlawful sale or giving away shall take place; and all suits for damages under this chapter may be by any appropriate action in any of the courts of this State having competent jurisdiction; Provided, however, that if the property of the landlord be seized or taken for any fine, forfeiture or amercement, by reason of the unlawful acts of his tenant arising under the provisions of this chapter, such landlord may sue upon the bond required by this chapter to be given, and may recover thereon damages to the amount incurred and paid by him, together with his costs. But no property belonging to a married woman, infant or insane person, shall be taken or seized under the provisions of this chapter, and in all such cases the husband, guardian or committee, as the case may be, shall be pecuniarily and personally liable.

21. If in any such house, building or place as is here-

inbefore mentioned, the sale of intoxicating liquors is carried on clandestinely, or in such a manner that the person so selling cannot be seen or identified, any sheriff, constable, or other officer, charged with the execution of a warrant issued under the twenty-first section, may, whenever it is necessary for the arrest or identification of the person so selling, break open such house, building or place.

Clandestine selling; powers of officers in case of.

*Bonds Required in Certain Cases.*

22. No county court, or other tribunal acting in lieu thereof, nor any city, village or town council, shall authorize the issuing of any license to sell spirituous liquors, wine, porter, ale, beer or drink of like nature, until the applicant shall have given bond with good security, to be approved by the court or other tribunal, or council, in the penalty of at least three thousand five hundred dollars, conditioned that he will not permit any person to drink to intoxication on any premises under the control of such applicant; and will not knowingly sell or furnish any intoxicating drink to any person who is intoxicated at the time, or who is known to him to have the habit of drinking to intoxication, or whom he knows, or has reason to believe, is under the age of twenty-one years; and that he will not sell or furnish such drink to any person on Sunday. And with the further condition, that he will pay all such damages and costs as may be recovered against him by any person under any of the provisions of chapter thirty-two, of the code of West Virginia, as amended. And such applicant, and his securities in said bond, shall be liable in a suit or suits thereon for the fine and costs, which may be recovered against him for any offense under this chapter which is a violation of any of the conditions of said bond, as well as for the damages hereinbefore provided for, until the penalty of said bond is exhausted.

Bond requir'd of applicant to sell spirituous liquors, &c.

Penalty of bond.

Conditions of bond.

Applicant and surety; for what liable.

23. Every justice of the peace, upon information made under oath or affirmation, that any person is selling, offering or exposing for sale spirituous liquors, wine, porter, ale, beer or drink of like nature, or that the affiant has cause to believe and does believe that any such liquors are sold in any house, building or other place named therein, contrary to the provisions of this chapter, whether such persons have a license or not, shall issue his warrant requiring the person suspected to be brought before him for examination, or the said house, building or other place to be searched, and the parties found therein arrested and brought before him,

Duties and powers of Justices upon information of violation of this act.

**His warrant; what it shall require.** as aforesaid, and in the same warrant shall require the officer to whom it is directed to summon such witnesses as shall be therein named, or whose names are indorsed thereon, to appear and give evidence on the examination. If, upon the examination of such person, it shall appear to the justice that there is probable cause to believe him guilty of the offense charged, he shall require the accused to enter into a recognizance, with sufficient sureties, in the sum of one hundred dollars, to appear before the next term of the circuit court of the county, to answer an indictment, if one be preferred against him; and upon his failure to enter into such recognizance, the justice shall commit him to jail to answer such indictment. The justice shall also recognize all the material witnesses, with or without sureties, as he may deem proper, to appear before the grand jury at the next term of said court, and give evidence against the accused; and the justice may require the accused to give bond, with sufficient security, in the sum of five hundred dollars, conditioned that he will not violate any of the provisions of chapter thirty-two of the code of West Virginia, as amended, during the time intervening between the date of such bond and the adjournment of the next grand jury term of the circuit court of the county; and upon his failure to give such bond, the justice shall commit him to jail until such bond is given, or until he is discharged therefrom by the circuit court of the county.

**Examination of accused; recognizance to answer indictment required; when.**

**Accused committed; when.**

**Recognizance of witnesses.**

**Bond may be required of accused; condition and penalty of.**

**Penalty for failure to give bond.**

#### *Revocation of License in Certain Cases.*

**License may be revoked; how and when.** 24. The county court, or other tribunal, or council, who authorized any license mentioned in the first section, may, for good cause shown, revoke the same, upon the petition in writing of any inhabitant of the county, city, village or town. But the person holding the license must first have reasonable notice of the proposed revocation, and the privilege of being heard in person or by counsel. After such revocation, the license shall be of no effect to protect him from any penalty imposed by this chapter.

**Notice of proposed revocation.**

**Effect of revocation.**

#### *Of the Place to which the License is Confined.*

**Assessor's certificate to keep hotel, tavern, bowling alley, &c.; carry on business of druggist, etc., what to specify.** 25. Every certificate issued by an assessor as aforesaid, if it be to authorize the keeping of a hotel, or a tavern, or bowling alley, billiard table, or bagatelle table, or any any table of like kind, or to carry on the business of a druggist, shall specify the house in which it is to be kept or carried on; and to keep or carry on the same at a different place shall be deemed a viola-

tion of this chapter. Every certificate to sell spirituous liquors, wine, porter, ale or beer, or any drink of like nature or to furnish drinks or refreshments at a public theatre, shall specify the house where they are to be sold, and a sale at any other place shall be held to be a sale without license. Other licenses shall be deemed co-extensive with the county but of no effect beyond the limits of such county.

To sell spirituous liquors, etc., furnish refreshments, etc., what to specify.  
Sale at any other place unlawful.  
Other licenses co-extensive with county.

26. If the person holding a State license, which is limited to a particular house as aforesaid, desires to have such license transferred to another place, the county court or other tribunal of the county, or council of the city, village or town (if the council thereof has the sole authority to grant such license), or both, if both be required, in which is situated the place to which the license is to be transferred, may authorize the alteration and cause a memorandum thereof to be endorsed in such license by their clerk, who shall, in such case, immediately make report thereof to the assessor of the proper district. After such endorsement, the license shall have the same effect as if the place to which it is transferred had been inserted therein instead of the house therein specified.

Transfer of license; how effected.

Effect of.

*Assignment of License to Other Persons.*

27. A person holding any license, mentioned in the first section, may assign the unexpired term thereof to another, with the assent of the county court or other tribunal, or council, or both, who authorized such license, endorsed thereon by their clerk, who shall in such case immediately make report thereof to the proper assessor. If the assignment be of such a license as is mentioned in the twenty-second section, the assignee shall give bond and security as required by that section, and the said section shall in all respects be applicable thereto. A person holding any State license other than those mentioned in the first section, may transfer the unexpired term thereof to another by assignment, endorsed on the license, and attested by the assessor of the district. But no assignment of a license shall be of any effect unless made in the manner prescribed in this section.

Assignment of license; how authorized and effected.

Assignee to give bond and security, in what cases.

Assignment not effectual, unless, etc.

*Fees for Licenses, and for Alterations and Assignments of the Same.*

28. For every State license, or alteration or assignment of the same, authorized or assented to as afore-

Fees for licenses, alterations, etc.

Of clerk. said, the clerk of such court or other tribunal, or council, shall be entitled to a fee of fifty cents.

Of assessor. For every certificate for a license, or alteration or assignment of such license, the assessor shall also be entitled to a fee of fifty cents. The said fees shall be paid by the person on whose application the license is issued, or the alteration or assignment made.

By whom paid.

*Of the Time for which the License is to be Granted.*

Time for which licenses are to be granted.  
Hotels, &c.  
To sell liquors, &c.  
Bowling alleys, &c.  
Auctioneers.  
Brokers.

29. Every State license to keep a hotel or tavern, or sell at wholesale or retail spirituous liquors, wine, porter, ale or beer, or any drink of like nature; or keep for public use or resort a bowling alley, billiard table, bagatelle table or any table of like kind; or act as auctioneer; or practice the business of stock or other broker, by buying or selling for others, stocks, securities or property, for a commission or reward, or practice the business of a money broker or private banker, by buying or selling uncurrent or depreciated money or funds, or exchanging one kind of money or funds for another, for profit or reward, or to carry on the business of a druggist, shall expire on the thirtieth day of April next after the commencement thereof. If granted for a less time than a year, the State tax thereon shall be computed from the annual tax in proportion to the time such license has to run.

Druggists.

Tax; how computed for less than a year.

To furnish drinks at theater.  
To sell patent rights.  
Bowling alleys, etc., at watering places.

30. A State license to furnish intoxicating drinks or refreshments at a public theatre, or sell patent rights, or act as hawker or peddler, or to keep for public use or resort at any public watering place in this State, a bowling alley, billiard table, bagatelle table, or any table of a like nature, shall be either for a year, four months or two months from the commencement thereof. If for four months, the State tax thereon shall be one-half, and if for two months, one-third of the annual tax.

Theatrical performances, circuses, etc.; how taxed.

31. There shall be a State tax per week on theatrical performances, and on a circus, menagerie, or public show, for every exhibition.

*Appeals from the Assessor.*

Appeals from assessor, in cases of erroneous assessment of license tax.

32. If any person desiring a State license of any kind, be dissatisfied with the valuation of the assessor, or the amount of tax to be paid thereon as stated in the assessor's certificate, or with any decision of the assessor respecting such license, or if any person be aggrieved with any assessment of a license tax, he may obtain relief in the manner and subject to the regula-

tions specified in the several sections from ninety-four to ninety-eight, inclusive, of chapter twenty-nine of the code of West Virginia, as amended.

How regulated.

*Production of License, if Demanded.*

33. Every person claiming to hold a State license of any kind shall produce the same for inspection whenever required by the prosecuting attorney, sheriff, justice, collector, or assessor for the county, or assessment district, and if he refuse to do so, shall forfeit ten dollars for every such offense.

License to be produced, when.

Penalty for refusal.

*Assessor's Lists of Licenses.*

34. It shall be the duty of every assessor to ascertain from time to time all persons in his district from whom State license is required by law, and deliver them proper certificates of the license to be obtained and the tax to be paid thereon to the State; but it shall also be the duty of every person to apply to the assessor and cause himself to be properly listed and licensed. And in case he shall transact any business for which he obtains such license, without having paid the taxes thereon, he shall forfeit not less than ten nor more than one hundred dollars for every such offense.

Duty of assessor as to persons from whom license is required.

Duty of such persons.

Penalty for doing business without paying tax.

35. The assessor shall from time to time make fair classified lists of all persons in his district from whom State license is required by law, specifying in such lists the date of every certificate, the name of the person to whom delivered, the amount of State tax, for what the license is to be obtained, and such other particulars as he may be directed by the auditor to state therein.

Assessor to make lists; what to state.

36. The assessor shall complete and deliver to the sheriff or collector before the thirtieth day of April in each year, the lists of licenses expiring on that day. Of other licenses, he shall make out and deliver to the sheriff or collector proper lists at intervals not exceeding two weeks.

Lists to be delivered to sheriff; when.

37. He shall transmit to the auditor proper lists of all State licenses for which certificates may have been issued in his assessment district, that is to say: A list of such as are issued on or after the first day of January in any year, and before the first day of July following, shall be transmitted on or before the tenth day of July; and of such as are issued on or after the first day of July in any year, and before the first day of January

Assessor to transmit list of State licenses to Auditor, classified, when.

following, a list shall be transmitted on or before the tenth of January. If he shall have ascertained that the State tax specified in any certificate was not paid, he shall note the fact on the proper list. The said list shall be verified by the affidavit of the assessor. If no certificate for license has been issued during any of the periods above mentioned, he shall return that fact to the auditor, verified by his affidavit, at the times specified for transmitting the said lists.

What to note, if tax not paid.

Lists, how verified.

What to report, if no license is issued.

Lists evidence against sheriff.

38. Such lists shall be evidence against the sheriff or collector to charge him with the amount of State tax therein stated.

*Instructions by Auditor to Assessors.*

Auditor to instruct assessors; how.

39. The auditor, by letter or printed circular, shall give such instructions from time to time to the assessors, respecting their duties under this chapter, as may seem to him judicious.

*Penalty on Assessors for Neglect of Duty.*

Assessors; penalty for neglect of duty by.

40. If an assessor fail to perform any duty required of him by this chapter, or to obey the instructions of the auditor so far as they are not contrary to law, he shall forfeit for every such offense not less than ten nor more than one hundred dollars.

*Collections of License Taxes—Power to Distrain—Delinquents.*

Sheriff may distrain for license tax; when.

41. The sheriff or other collector shall be authorized to distrain immediately, upon the receipt of the list provided for in section thirty-six, for the amount with which any person may have been assessed by the assessor upon any State license under the provisions of this chapter, and to sell upon ten days' notice so much of such persons' personal property subject to distress as may be necessary to pay the tax so assessed.

Sale; notice of.

When no property found; what to be done.

42. When a sheriff or collector is unable to find property out of which to make the taxes imposed upon persons, who may have been assessed with a license, such sheriff or collector may return such persons as insolvent, subject to all the laws in relation to uncollected taxes.

*At What Time the License Taxes are to be Paid into the Treasury.*

43. Every sheriff or collector shall account for and

pay into the treasury the State taxes on licenses at the following times: The taxes assessed on or after the first day of January and before the first day of July following, shall be accounted for and paid on or before the thirty-first day of the said month of July; and the taxes assessed on or after the first day of July, and before the first day of January following, shall be accounted for and paid on or before the thirty-first day of said month of January.

When license taxes to be paid into treasury.

*How Payments Enforced Against the Collector.*

44. If any sheriff or collector fail to pay as required by the last section, the auditor, within three months after such failure, may file in the clerk's office of the circuit court for the county in which the seat of government for the time may be, an accurate account of the amount with which such sheriff or collector may be chargeable on account of said taxes; and the said clerk shall enter up judgment thereupon against such sheriff or collector for the said amount, with lawful interest thereon from the time of such failure until payment, and fifteen per cent. damages on the principal in addition thereto, unless the auditor direct a reduction of the said damages; which judgment shall have the same force and effect, and be subject in all respects to the same proceedings, as if it had been rendered by the said court.

Payment of license tax; how enforced against sheriff or collector.

Clerk to enter judgment.

Damages.

Effect of judgment.

45. But any person aggrieved by such judgment may, within one year after it is entered up, upon notice to the auditor, apply to the said court to set the judgment aside and try the case or for leave to prove errors, set-offs or credits against the same; and the court, for good cause, may either set aside the judgment and proceed to try the case as if no judgment had been entered, or allowing the judgment to stand as a security for what may appear ultimately to be due, may give leave to the applicant to prove errors, set-offs and credits before a jury or commissioner, and render such final judgment in the case as the law and equity may require.

Persons aggrieved by such judgment; how relieved.

46. The right of the State to proceed, by motion or otherwise, against the sureties of any sheriff or collector, shall not be impaired or affected by anything contained in the two last sections, or which may be done in pursuance thereof. And if any sheriff or collector fail to pay as required by the forty-third section of this chapter, proceedings may be had according to the thirty-fifth chapter.

Right of State to proceed by motion against sureties of sheriff; not impaired.

Every sheriff or collector who fails to pay as required by the said forty-third section, shall be charged with



Interest charged sheriffs, &c., failing to pay over funds. interest at the rate of twelve per cent. per annum on the amount in arrears from the time it ought to have been paid into the treasury.

*Commissions for Collecting License Taxes.*

Sheriffs' commission for collecting license tax.

47. Every sheriff or collector receiving taxes on licenses under this chapter, shall be allowed a commission of five per cent. for his collections on the first one thousand dollars, two per cent. for any excess not over five thousand dollars, and one per cent. on any excess over that sum.

*Duty of Prosecuting Attorney.*

Prosecuting attorney to institute prosecutions; when; also, suits on bonds; regulations concerning. No indictment dismissed without trial. Confession of judgment for misdemeanor.

48. In addition to the general duties of the prosecuting attorney in each county, he shall, upon his own motion, or upon the application of any revenue officer, institute prosecutions for the offenses and suits upon the bonds mentioned in this chapter, in all proper cases; and no indictment or presentment for a violation of the revenue laws shall be dismissed without a trial, nor shall a confession of judgment be taken in any prosecution for a misdemeanor, where there is a specified fine or penalty, for a less sum than that so specified.

Provisions remedial, not penal. Forfeitures and penalties, recovered and enforced; how.

49. The foregoing provisions of this chapter shall in all cases be construed as remedial and not penal. And all forfeitures and penalties herein provided for may be recovered and enforced by indictment and prosecution in the circuit court of the proper county. And every such indictment shall be tried at the term of the court at which it is found, unless good cause be shown to the contrary.

*Amount or Rate of Tax on Each Subject of Taxation.*

Rate of tax in absence of special law.

50. In every year for which a different rate is not prescribed by special enactment, the State taxes on the persons and subjects hereinafter mentioned shall be as follows:

*On Real and Personal Property.*

Tax on real and personal property.

51. On real and personal property, not exempt from taxation, twenty five cents on every hundred dollars' valuation thereof for general State purposes, and ten cents on every hundred dollars' valuation thereof for the support of free schools.

*Capitation Tax.*

52. On every male inhabitant, who has attained the age of twenty-one years, one dollar. Capitation tax.

*Tax on Licenses.*

53. One every license to keep a hotel or tavern, eating-house or restaurant, three per centum per annum upon the yearly value of the premises occupied for that purpose, estimated according to the ninth section of this chapter. On hotels, taverns, eating houses, &c.  
How estimated.

*On Distilleries and Breweries.*

54. A license to carry on a distillery for the manufacture of whisky or brandy, or a brewery for the manufacture of beer or ale, shall be regulated and in the amount fixed by the following classification: Tax on licenses for distilleries and breweries, classified.

55. First.—Such as annually make or manufacture twenty-five thousand barrels or more of whisky or brandy, or beer or ale, as the case may be, shall constitute the first class, and the license tax thereon shall be, for each such distillery or brewery, five hundred and fifty dollars. Tax on first class.

56. Second.—Such as annually make or manufacture more than fifteen thousand and less than twenty-five thousand barrels, shall constitute the second class, and the license tax thereon shall be, for each such distillery or brewery, three hundred and fifty dollars. On second class.

57. Third.—Such as annually make or manufacture more than five thousand and not exceeding fifteen thousand barrels shall constitute the third class, and the license tax thereon shall be, for each such distillery or brewery, two hundred dollars. On third class.

58. Fourth.—Such as annually make or manufacture more than one thousand and not exceeding five thousand barrels shall constitute the fourth class, and the license tax thereon shall be, for each such distillery or brewery, one hundred and twenty-five dollars. On fourth class.

59. Fifth.—Such as annually make or manufacture not exceeding one thousand barrels shall constitute the fifth class, and the license tax thereon shall be, for each such distillery or brewery, fifty dollars. On fifth class.

*On Sale of Liquor, Wine, Porter, Ale, &c.*

- On license to furnish drinks, etc., at theater. 60. On every license to furnish intoxicating drinks or refreshments at a public theatre, one hundred and fifty dollars.
- To sell liquors, etc., at retail. 61. On every license to sell spirituous liquors, wine, porter, ale, beer and drinks of like nature, at retail, three hundred and fifty dollars.
- At wholesale. 62. On every license to sell spirituous liquors, wine, porter, ale, beer and drinks of like nature, at wholesale, three hundred and fifty dollars in addition to all other taxes.
- What deem'd a sale without license, at retail. 63. No person having such license to sell at retail, shall sell or deliver, by virtue thereof, more than five gallons at a time, and the sale and delivery of more than five gallons at a time shall be deemed a sale without license.
- What deem'd a sale without license, at wholesale. 64. No person having such license to sell at wholesale, shall sell or deliver, by virtue thereof, a less quantity than five gallons at a time, and if any such sale or delivery be made, it shall be deemed a sale without license.
- On apple and peach brandy distilled from domestic fruit. Sales of not less than five gallons. 65. Apple and peach brandy distilled within any of the counties of this State from fruit grown in the State, may be sold by the distiller thereof in quantities not less than five gallons at a time, to be carried away and not drank on the premises where sold, by paying a license tax of one hundred dollars; but the sale and delivery of a less quantity than five gallons at a time, shall be deemed a violation of the provisions of this chapter.
- To sell beer, etc., at retail. 66. On every license to sell, at retail, domestic wines, ale, beer and drinks of like nature only, one hundred dollars.

*On Druggists.*

- Tax on druggists. 67. On every license to carry on the business of a druggist, ten dollars in addition to all other taxes.

*On Bowling Alleys, Billiard Tables, &c.*

- On license to keep bowling alleys. 68. On every license to keep a bowling alley for public use or resort, forty dollars; but if more than one be kept in one house, by the same person, forty dollars for the first one and fifteen dollars for every other one.

69. On every license to keep a billiard table or pool table, or table of like kind, for public use or resort, seventy-five dollars; but if a pool table and billiard table be kept by the same person, in the same house, fifty dollars for each; and if more than one, or more than one of each, be kept in the same house, by the same person, seventy-five dollars for the first one, or fifty-five dollars for the first one of each, as the case may be, and twenty-five dollars for every other one. To keep billiard tables, etc.

70. On every license to keep a bagatelle table, or table of like kind, for public use or resort, twenty-five dollars; but if more than one be kept in one house, by the same person, twenty-five dollars for the first one, and ten dollars for every other one. To keep bagatelle tables.

71. On every license to keep a roller skating rink for public use or resort, in a city or town with a population of ten thousand or more, one hundred dollars; in a city or town with a population of more than five thousand, but less than ten thousand, fifty dollars; and in a city or town with a population less than five thousand, twenty-five dollars. To keep roller skating rink.

72. At any public watering place in this State a license may be granted to keep such alley or billiard table, pool table, bagatelle table or other table of like kind, or roller-skating rink, for public use or resort, for four months, or two months from the commencement thereof. If for four months, the State tax thereon shall be one-half, and if for two months, one-third of the annual tax. To keep alley, billiard table, skating rink, etc., at watering place.

#### *On Auctioneers.*

73. On every license to act as an auctioneer, five dollars, and if any auctioneer act as such in a town an additional tax of two dollars for every thousand of the population of such town, according to the last preceding United States census. Tax on license to auct'neers.

#### *On Stock and Other Brokers.*

74. On every license to practice the business of a stock or other broker, other than that of pawnbroker, by buying or selling for others, stocks, securities or property, for a commission or reward, fifty dollars; but the person holding such license shall, while it continues in force, have the right to sell stocks and securities at public auction without a State license to act as auctioneer. Tax on license to act as broker.

To act as  
money brok-  
er or private  
banker.

75. On every license to practice the business of money broker or private banker, by buying or selling uncurrent or depreciated money or funds, or exchanging one kind of money or funds for another, for profit or reward, one hundred dollars.

*Pawn Brokers.*

On pawn-  
brokers.

76. On every license to practice the business of pawn broker, one hundred dollars.

*On Sale of Patent Rights.*

To sell patent  
rights.

77. On every license to sell or barter patent rights, ten dollars.

*On Hawkers and Peddlers.*

On hawkers  
or peddlers.

78. On every license to act as a hawker or peddler, if the person licensed travel without a horse, twenty-five dollars; if he travel with one or more horses, with or without a wagon or other vehicle, seventy-five dollars. Provided, That nothing in this chapter shall be construed as levying a license tax on what are commonly known as hucksters, who for the purposes of this chapter, are persons that travel with a wagon or other vehicle, with one or more horses, and buy the produce of farmers, and pay therefor with money or with articles of merchandise for the sale of which no license tax is required by law.

Proviso as to  
hucksters.

Hucksters de-  
fined.

*Salesmen of Sewing Machines, Lightning Rods, Organs, &c.*

To sell sewing  
machines,  
lightning  
rods, organs,  
etc.

79. On every license to sell sewing machines, if the salesman thereof travels, ten dollars; on every license to sell organs or other musical instruments, if the salesman thereof travels, twenty dollars; and on every license to sell lightning rods, if the salesman thereof travels, fifty dollars.

*Shooting Galleries.*

On shooting  
galleries.

80. On every license to keep a shooting gallery for public use or resort, twenty-five dollars.

*Theatres, Opera Houses, &c.*

Tax for theat-  
rical perform-  
ances.

81. The State tax on every license for theatrical performances in a city or town with a population of twenty thousand or more, shall be twenty dollars; in a city or

town with a population of more than ten thousand, but less than twenty thousand, fifteen dollars; and in a city or town with a population less than ten thousand, ten dollars for each week, and no such license shall be issued for any fraction of a week. Provided, that a theatre, opera house, or other permanent public show, shall have license to exhibit for three months for fifty dollars, or six months for seventy-five dollars, or for one year for one hundred dollars, in a city or town with a population of twenty thousand or more; and for three months, twenty-five dollars; or for six months, for thirty-seven and fifty cents, or for one year, seventy-five dollars, in a city or town with a population more than ten thousand and less than twenty thousand; in a city or town with a population less than ten thousand, for three months, twelve dollars and fifty cents; for six months, eighteen dollars and seventy-five cents, and for one year twenty-five dollars.

Proviso as to theatres and other permanent public shows.

82. Whenever anything for which a State license is required by the last section is to be done within any incorporated city, town or village (whether incorporated under general or special law), the council may require a city, town or village license therefor, and may impose a tax thereon, for the use of the city, town or village not exceeding (except in the city of Wheeling), the amount of State tax thereon.

For what a city, town or village may require license; rate of tax therefor; except as to city of Wheeling.

83. The provisions of this chapter shall not apply to literary, dramatic, musical or benevolent societies, where they do not give exhibitions outside of their own counties.

Provisions nor to apply to literary societies, etc.

### *Circus, Menagerie, &c.*

84. The State tax on every license to exhibit a circus, shall be fifty dollars for each exhibition; on a license to exhibit a menagerie, thirty dollars for each exhibition; on a license to exhibit a circus and menagerie combined, seventy-five dollars for each exhibition; and on a license to exhibit any other public show (inclusive of each and every side-show in the vicinity of a circus and menagerie, or circus and menagerie combined), ten dollars for each exhibition, except that a license to exhibit a museum or public show where the admission is ten cents, shall be four dollars a day, or twenty dollars a week.

Tax to exhibit circus, menagerie, etc.

### *Tax on State Seal.*

85. Except when the seal is used on the papers of a

Tax on State seal.

requisition issued by the governor for the return of a fugitive from justice, and in the cases mentioned in the two succeeding sections, there shall be a tax of one dollar whenever the seal of the State is affixed to any paper, which tax shall be paid to the secretary of state.

*Licenses of Charters and Certificates of Incorporation.*

Tax on corporations, whose principal office, etc., located inside State; to whom paid and how disposed of.

86. Upon every corporation which has heretofore obtained, or which shall hereafter obtain a charter or certificate of incorporation from this State, and whose principal place of business or chief works are located inside of this State, there shall be an annual license tax of ten dollars, to be paid on or before the first day of May of each year, or at the time of obtaining such charter or certificate of incorporation, and on or before every first day of May thereafter, as the case may be, to the auditor, and by him turned into the general treasury.

On corporations with principal office, etc., located outside State; to whom paid and how disposed of.

87. Upon every corporation which has heretofore obtained, or which shall hereafter obtain a charter or certificate of incorporation from this State, and whose principal place of business or chief works are located outside of this State, there shall be an annual license tax of fifty dollars, to be paid on or before the first day of May of each year, or at the time of obtaining such charter or certificate of incorporation, and on or before every first day of May thereafter, as the case may be, to the auditor, and by him turned over into the general treasury of the State.

Failure to pay forfeits charter.

88. Any such corporation which shall fail to pay the tax provided for in the last two sections, shall, because of such failure, forfeit its charter to the State.

Auditor to notify corporation; of what and where.

89. It shall be the duty of the auditor, on or before the first day of March in each year, to notify every corporation liable to a tax hereunder, of the time of payment of such tax. Such notice shall contain the words of this and the three sections last preceding.

Notice to contain, what.

Auditor to publish list of corporations forfeiting charters; how and when.

90. It shall be the duty of the auditor, within thirty days after the first day of every May, to publish in two newspapers of general circulation, one of which must be published at the seat of government and the other in the city of Wheeling, a list of all such corporations as have forfeited their charters under the provision of this chapter within the year preceding, and any such corporation which shall within sixty days after such publication pay to the auditor the tax payable on or

before the first day of May of that year, and five dollars in addition thereto, shall thereupon be relieved from the forfeiture of its charter by reason of such failure.

91. Nothing in this chapter shall be construed as imposing a license tax on corporations chartered strictly for educational, literary, agricultural, scientific, religious, cemetery or charitable purposes, or upon charters incorporating masonic lodges, odd fellows lodges, or other charitable societies. Not to apply to corporations for educational, agricultural, etc., purposes; masonic lodges, etc.

92. The secretary of State shall semi-annually, within the thirty days succeeding the first day of January and July, render under oath, to the auditor, an account of the taxes received by him as aforesaid, and pay into the treasury of the State, the amount appearing thereby to be due; or if such officer have received nothing, he shall, within the said thirty days, transmit his affidavit to that effect to the auditor. Secretary of State to account for taxes received; how and when. If he receives nothing, that fact to be certified to auditor.

93. If any officer fail to perform the duty required of him by this chapter, he shall, for every such offense, forfeit one hundred and fifty dollars; and for every month such failure shall continue, at the expiration of the time within which the duty should have been performed, he shall forfeit an additional sum of ten dollars. The said penalties may be recovered by motion, or repeated motions, against the delinquent officer, in the circuit court of the county where such officer resides. Penalty for officers failing to perform required duties. How recovered.

2. That chapters 107 and 108 of the acts of 1877, and all other acts and parts of acts coming within the purview of this act and inconsistent herewith, be and they are hereby repealed. Inconsistent laws repealed.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA,  
OFFICE OF SECRETARY OF STATE, }  
March 3rd, 1887. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the



Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

### CHAPTER XXX.

AN ACT to amend and re-enact sections one, two, four, five, six, seven, twelve, nineteen, twenty-two, twenty-three, twenty-six and twenty-seven, of chapter thirty-five, of the Acts of one thousand eight hundred and eighty-one, and also sections thirteen, fifteen and sixteen, of chapter thirty-five of the Acts of one thousand eight hundred and eighty-one, as amended and re enacted by chapter forty, of the Acts of one thousand eight hundred and eighty-five.

[Passed February 24, 1887]

Be it enacted by the Legislature of West Virginia :

Acts 1881,  
chapter 35,  
and Acts 1885,  
chapter 40,  
amended.

1. That sections one, two, four, five, six, seven, twelve, nineteen, twenty-two, twenty-three, twenty-six and twenty-seven, of chapter thirty-five, of the Acts of one thousand eight hundred and eighty-one, and also sections thirteen, fifteen and sixteen, of chapter thirty-five of the Acts of one thousand eight hundred and eighty-one, as amended and re enacted by chapter forty of the Acts of one thousand eight hundred and eighty-five, be amended and re-enacted so as to read as follows :

Voters may  
adopt road  
law.

1. The voters of any district in any county in this State may, as hereinafter provided, adopt the method of constructing and keeping in repair the county roads of said district in such county, provided in this act.

Question  
submitted to  
voters; when  
and how.

2. The county court, upon petition having been presented to it, signed by at least twenty-five voters of any district in said county, shall at the next ensuing session

thereof order that, the said method of constructing and keeping in repair the county roads, of said district in said county shall be submitted to the voters of said district for ratification or rejection at the next ensuing election held throughout the county.

4. When the result of said election at every place of voting is ascertained as aforesaid, the commissioners and conductor, or any two of them, shall sign a certificate of the result thereof to the following effect :

Certificate of result to be signed by commissioners.

“We, the undersigned, who acted as commissioners (or commissioners and conductor as the case may be), of the election held at \_\_\_\_\_, in the district of \_\_\_\_\_, in the county of \_\_\_\_\_, on the \_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, upon the adoption or rejection of the new road law, do certify that the result of said election is as follows:

Form of certificate.

“For adoption \_\_\_\_\_ votes; for rejection, \_\_\_\_\_ votes.

“Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_. The said certificates shall contain a full and true return of said election at each place of voting on said question. The said commissioners, or one of them, or said conductor, shall within four days, including Sundays, after that on which said election was held, deliver the said certificate to the clerk of the county court, who shall deliver the same to the county court, whose duty it shall be to ascertain therefrom the result of said election in said district, and declare the same at their next session.

Certificate to contain, what.

Certificate to be delivered to clerk county court.

Result, how declared.

5. The county court of the county shall, if the method of constructing and keeping in repair the county roads herein provided for is adopted, in any district in said county by a majority of the votes cast upon the question at said election, proceed to divide said district into three road precincts, of as nearly as practicable equal extent, numbering the same, and shall also appoint in said district three road surveyors, no two of whom shall be appointed from the same road precinct. One of said surveyors shall be appointed for the term of three years, one for the term of two years, and one for the term of one year.

County court to divide district into three road precincts, and appoint surveyors.

Term of surveyors.

6. The term of office of said board of surveyors shall commence on the first day of January next after their appointment. The said board of surveyors shall be a corporation by the name of “The Board of Surveyors of \_\_\_\_\_ district,” by which name it may sue and be sued, plead and be impleaded and contract and be contracted with.

When to commence.

Board of surveyors to be a corporation.

One surveyor to be appointed annually; where to reside.

Term of office; to commence when.

Surveyors to divide roads into sections.

Sections not to exceed two miles in length; to be numbered and describ'd.

What to be specified as to said sections. May recommend new roads.

Roads to be sold out; when and in what manner.

Road surveyor or not to bid or purchase.

Sales of additional sections.

What notice required.

Sections not sold at public sale to be sold at private sale, or kept in repair, how.

Purchaser to give bond.

7. After the first appointment, one surveyor shall be annually appointed in said district, residing in the road precinct of his immediate predecessor, and who shall be a voter of his district. The term of office of the surveyor so appointed shall commence on the first day of January next, after his appointment, and he shall continue in office for three years.

12. It shall be the duty of the surveyors, within twenty days after the first day of January next after the adoption of this act, and every three years thereafter, to lay out and divide, or cause to be laid out and divided, all of the county roads in their respective road precincts into sections not exceeding two miles in length, which they shall number and describe in a book to be kept for that purpose by the road surveyor of each road precinct. They shall also distinctly specify therein what they may deem necessary for the improvement and keeping in repair each section of said county road for a period of not exceeding three years, and may also recommend such new roads to quarries, mills, coal mines, salt wells, oil wells or otherwise, as they think for the benefit of the public.

13. It shall be the duty of the road surveyor of each road precinct to expose for sale, one section at a time, unless otherwise directed by the county court, such of the sections of road in his road precinct as he may elect, to the lowest and best bidder, commencing on the first Tuesday in April next after the adoption of this act, for the period of time previously determined, as provided in section twelve. But no road surveyor shall be a bidder, or become a purchaser, either directly or indirectly, of any section or sections offered for sale or proposed to be worked. Additional sections may be sold in like manner annually thereafter, the sales to continue from day to day until the designated sections are all sold or have been offered for sale, of which sales at least ten days' notice shall be given by posting handbills at not less than five of the most public places in each road precinct. If any section or sections are not sold, at any sale or sales made under the provisions of this section, for want of bidders, or because of the rejection of any bid under section nineteen of this act, it shall be the duty of the road surveyor to sell such section or sections, or new roads, at private sale, or have the same kept in repair, or such new roads opened in any other manner the county court may direct. Any person purchasing a contract or contracts at any sale herein provided for, shall give bond with security, to be approved by said surveyors, in a sum to be fixed by

said surveyors, for the performance of every contract so purchased, and further conditioned to require that every such contractor or contractors shall put his or their section or sections in good repair on or before July first of each year and keep the same in good repair.

Conditions of bond.

15. It shall be the duty of the purchaser, or purchasers, to sign his or their name, or names, as the case may be, and write the sum he, or they, are to receive for repairing his, or their section, or sections, in the book kept by said road surveyor, mentioned in section twelve, of this act, under the description thereof, and any contractor, or contractors, neglecting or refusing to keep his, or their section, or sections, in repair, in conformity thereto, upon complaint of any citizen of the road precinct in which such road is made, to the road surveyor thereof, it shall be his duty to examine thereinto within four days after such complaint, and if upon such examination be deemed the complaint well founded, he shall give notice thereof in writing to the party or parties, so complained of, accompanying said notice with a request that the party, or parties, so complained of, shall put in good repair, within six days thereafter, his, or their portion of road so out of repair, and if he, or they, shall still neglect or refuse to repair the same, it shall be the duty of the said road surveyor to cause the same to be put in good repair, and the costs of said repairs shall be recoverable by said road surveyor's before a justice of the peace of the said district, or the circuit court of the county, if such costs exceed the sum of three hundred dollars, as other debts or claims of equal amount are now recoverable by law.

Purchasers to sign their names, &c., in book of road surveyor.

Contractors failing to keep their sections in repair.

Duty of road surveyor in relation thereto.

In case of continued failure, surveyor to repair and recover costs from contractor.

Justice or circuit court to have jurisdiction.

16. It shall be the duty of the board of road surveyors of each district in the county, as soon as practicable after the sale of said county roads, or of any newly established or altered roads, and annually thereafter, to ascertain and report in writing immediately after such ascertainment, to the county court of the county, the amount of money necessary to open and keep in repair the county roads of their district, payable during the next ensuing fiscal year; and it shall be the duty of said court to carefully examine such reports and the estimates therein contained, and to make such alterations and corrections therein as the court may think proper; and the court shall, at their first stated meeting thereafter at which the said county court may be required to levy the estimates covering the county debts and liabilities, provide for the amount so reported to them by the road surveyors as aforesaid, as altered and

Reports of surveyors to county court.

Report to contain, what.

Duty of county court as to report.

Court to provide funds to repair roads.

corrected by the court if such reports are altered and corrected by it, and any other expenses pertaining to the same, by levying a tax of one dollar on every male inhabitant of said district who has attained the age of twenty-one years and not over the age of fifty years : *Provided*, That persons afflicted with bodily infirmity may be exempted by said court from this capitation tax. The balance, after deducting said capitation tax and estimated delinquencies, shall be levied upon property of said district taxable for State and county purposes, and shall be collected and disbursed in the same manner.

Capitation tax to be levied.

Afflicted persons exempted from tax.

Balance to be raised by levy on property.

Sales of road to be reported to board of surveyors.

Board may reject bids; their duty in such case.

Claims of contractors;

How certified and paid.

Road surveyors to furnish county court certified statement; what to show.

Amount so shown; how certified and paid.

Residue; how to be provided for.

Surveyor to certify claim, when.

19. All sales, made in the manner and form provided for in section thirteen of this act, shall be reported by the road surveyor of each road precinct to the board of surveyors of the district, at their first meeting held after such sales are made, and the board of road surveyors at such meeting shall have the right to reject any bid that may by them be deemed too high, and provide for the sale of such section or sections or new roads at private sale, or have the same kept in repair, or such new roads opened in any other manner the county court may direct.

22. All claims of any contractor or contractors, or others, which may under the provisions of this act, be due to such contractor or contractors, or other persons, shall, when certified to by the board of road surveyors, be presented to the county court at the proper session thereof, and if by them found correct, shall upon the order or warrant of said court, signed by the president and clerk of the county court, be paid by the sheriff; *Provided*, further, that it shall be the duty of the road surveyors to furnish the county court at its session next preceding November first, in each year, with a certified statement showing one-half of the amounts of each claim so due each contractor or contractors, and said one-half of the amounts due each contractor or contractors as aforesaid, may upon the order or warrant of said court, signed by the president and clerk of the county court, be paid by the sheriff on or after that date (November first), and in like manner payment of the remaining one half of each claim, shall be provided for and made by April first, next succeeding; *Provided*, that no surveyor shall certify the claim of any such contractor or contractors until upon examination he shall find that the provisions of the contract have been strictly complied with.

23. Any road surveyor duly appointed as provided

in this act, and who may have qualified as such, neglecting or refusing to perform the duties of his office, shall be liable to indictment or presentment, and upon conviction thereof shall be fined not less than five nor more than fifty dollars for every such offense.

Road surveyors qualifying and refusing to act: how punished.

26. Upon the adoption of the provisions of this act, as provided herein, all laws or parts of laws in conflict with this act, shall be as to said districts void and of no effect.

Conflicting laws void, when this act is adopted.

27. Any district having adopted the provisions of this act and wishing thereafter to discontinue the same may do so in the same manner as provided in section two of this act, for the adoption or rejection of said act, and in like manner may any district in any county which has adopted the provisions of the act, passed March twelfth, one thousand eight hundred and eighty-one, discontinue the same, and if any district shall determine at said election to discontinue the same, the general road law in force at that time shall be in force in said district.

Operation of this act, discontinued; how.

When discontinued general law applies.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XXXI.

AN ACT to impose a tax on collateral inheritances, distributive shares and legacies.

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

1. All estates, real, personal and mixed, money, public and private securities for money of every kind, passing from any person who may die seized or possessed thereof, being in this State, or any part of such estate or estates, money or securities, or interest therein transferred by the intestate laws of this State, by will, deed, grant, bargain, gift or sale, made or intended to take effect in possession after the death of the grantor, bar-

Tax imposed on all collateral inheritances, legacies, etc., other than for the use of father, mother, wife, etc.

gainer, deviser or donor, to any person or persons, bodies politic or corporate, in trust or otherwise, other than to or for the use of the father, mother, wife, children and lineal descendants of the grantor, bargainor, deviser, donor or intestate, shall be subject to a tax of two and a half per centum on every hundred dollars of the clear value of such estates, money or securities; and all personal representatives shall only be discharged from liability for the amount of such tax, the payment of which they may be charged with, by paying the same for the use of this State, as hereinafter directed; *Provided*, That no estate which may be valued at a less sum than one thousand dollars, shall be subject to the tax imposed by this section.

Estate of less than \$1,000, exempt.

Duty of personal representative as to the payment of such tax.

2. Every personal representative, to whom administration may be granted, before he pays any legacy or distributes the shares of any estate liable to the tax imposed by the preceding section, shall pay to the clerk of the county court of the proper county two and a half per centum of every hundred dollars he may hold for distribution among the distributees or legatees, and at that rate for any less sum, for the use of the State.

What value attaches to such property other than money or real estate, upon which tax shall be paid. How sold, if necessary. Report of such sale.

3. When any species of property, other than money or real estate, shall be subject to said tax, the tax shall be paid on the appraised value thereof, and every personal representative shall have power, under the order of the circuit court made on the ex parte application of such personal representative, to sell, if necessary, so much of said property as will enable him to pay said tax, which sale must be reported to the said court and by it approved.

Real estate subject to such tax, how appraised.

4. In all cases where real estate of any kind is subject to the said tax, the same shall be appraised in the manner prescribed for appraising real estate, which the personal representative is authorized to sell, or of which he is authorized to receive the rents and profits.

Appraisers, where estate or property lies in more than one county.

5. If the estate or property lies in more than one county, and it is not convenient for the appraisers to visit the other county, the county court of the last mentioned county may appoint appraisers in said county.

Separate inventory of real and personal estates.

6. The inventory of the real estate shall be separate and distinct from that of the personal estate.

7. On the death, or refusal of any appraiser to act, the court may appoint another in his place.

Death or refusal of appraiser.

8. The appraiser shall return the inventory when completed to the personal representative, whose duty it shall be, to return the same to the office of the county court to which the inventory of the personal estate is returnable, and within the same time and under like penalty, and shall make oath that said inventory or inventories is or are true and perfect inventory or inventories of all the real estate of the deceased, within this State, that has come to his knowledge, and that, should he thereafter discover any other real estate belonging to the deceased in this State, he will return an additional inventory thereof.

Inventory, to whom returned; when.

Oath appended.

9. The appraisement shall be deemed and taken prima facie to be the true value of the said real estate, upon which the said tax shall be paid.

Validity of such appraisement.

10. The amount of said tax shall be a lien on said real estate from the death of the decedent, who shall have died seized and possessed thereof, until the same shall be paid.

Tax a lien on real estate; from and until when.

11. The personal representative shall collect the same, from the parties liable to pay said tax, or their legal representatives, as soon as practicable from the date of his administration, and pay the same to the clerk of the county in which administration is granted; and, if the said parties shall neglect or fail to pay the same within a reasonable time, the circuit court of the said county, upon bill filed by the personal representative, shall decree so much of said real estate as may be necessary to pay said tax to be sold, and all the expenses of said sale, including the commissions of the personal representative thereon.

When, from whom and by whom, tax to be collected.

To whom paid.

Failure to pay; what then.

12. Whenever any estate, real, personal, or mixed, of a decedent shall be subject to the tax mentioned in the preceding section, and there be only a life estate, or an interest for a term of years, or a contingent interest given to one party, and the remainder or reversionary interest to another, the circuit court of the county in which administration is granted, shall, on the application of the personal representative by petition, after due notice to the parties interested, determine, in its discretion, and at such time as it shall think proper, what proportion each party who may be thus interested in said estate or property shall pay of said tax, and every such party

Where there is a remainder, or reversionary interest in property, tax to be paid by interested parties in proportion fixed by court.

Proceedings to ascertain such proportion.



**Tax when and to whom paid.** shall pay to the clerk of the county court his proportion of said tax within sixty days after the date of such determination, and any party entitled in remainder or reversion shall be required to pay his proportion within the same time as if his interest had vested in possession.

**Proceedings where such parties neglect or refuse to pay the tax decreed to be paid by each.** 13. If any of the parties mentioned in the last preceding section shall refuse or neglect to pay the several proportions so decreed by the circuit court within sixty days from the time of such decree, the court shall, upon the ex parte application of the clerk of the county court, order and direct the personal representative to sell all the right, title and interest of such party in and to said estate or property, or so much thereof as the court may deem necessary to pay his proportion of said tax and all expenses of sale.

**Liability of personal representative for such taxes, etc.** 14. The bond of a personal representative shall be liable for all money he may receive under this statute for taxes, or for the proceeds of the sales of real estate received by him thereunder.

**Personal representative failing to perform duty; what then.** 15. If any personal representative shall fail to perform any of the duties imposed upon him by this statute, the court in which the administration was granted may revoke his administration, and his bond shall be liable, and the same proceedings shall be had against him as if his administration had been revoked for any other cause.

**When estate subject to collateral inheritance tax committed to sheriff, and how.** 16. In all cases where any estate, real, personal, or mixed, shall be subject to the collateral inheritance tax imposed by this statute, and no administration is taken out within three months, and motion is made in the manner prescribed in section ten, of chapter eighty-five, of the code of this State, it shall be the duty of the clerk of the county court to commit the estate to the sheriff of the county where administration should be granted.

**Receipts given by clerk of county court to person paying tax; how disposed of; effect of copies of.** 17. The clerk of the county court shall give to the person paying the collateral inheritance tax imposed by this statute duplicate receipts for said tax, one of which shall be forwarded by said person to the auditor to be by him preserved, and copies thereof shall be evidence in suits on the bond of said clerk of the county court.

**Duty of clerks of county courts to pay over moneys received;** 18. It shall be the duty of the several clerks of the county courts of this State, to account with, upon oath, and pay to the auditor on the first day of June and the

first day of September, in each and every year, all sums of money received by them respectively, upon which they shall be allowed a commission of two per cent. upon the amount so paid over.

when and to whom.  
Commission.

19. If any of the said clerks shall fail to account and pay over as required in the last preceding section, the auditor shall, in thirty days thereafter, give notice thereof to the prosecuting attorney for the county, whose duty it shall be to put the bond of such clerk in suit for the use of the State, in which suit a recovery shall be had for the amount appearing to be due, with interest at the rate of ten per centum per annum from the date or dates when the same was payable as aforesaid: which recovery shall be evidence of misbehavior, and upon conviction thereof, the said clerk shall be removed from office, which shall thereupon be filled as prescribed by law, and such failure on the part of any clerk shall amount to a forfeiture of the commission to which he would otherwise be entitled.

Proceedings to recover if clerks fail to account for and pay over moneys as required.

Rate of interest.

Removal of clerk and forfeiture of his commission; when.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XXXII.

AN ACT to amend and re-enact section five, of chapter fifty-seven, of the Code, as amended and re-enacted by section seven, of chapter eighty-six, of the Acts of one thousand eight hundred and seventy-two and three, and by chapter thirty-three, of the Acts of one thousand eight hundred and eighty-two.

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That section five, of chapter fifty-seven, of the

Section 7,  
chapter 33,  
Acts 1882,  
amended.

code, as amended and re-enacted by section seven, of chapter eighty-six, of the acts of one thousand eight hundred and seventy-two and three, and by chapter thirty-three, of the acts of one thousand eight hundred and eighty-two, be further amended and re-enacted so as to read as follows :

Trustees may  
hold land for  
church pur-  
poses; how  
much.

For free ma-  
sons, etc.;  
how much.

When for col-  
leges, etc.,  
real estate  
unlimited.

Trustees of  
church, etc.,  
may sue in  
their own  
name.

Death, etc., of  
any trustee,  
not to effect  
suit.

7. Such trustees may take and hold, for the purposes mentioned in the first section of this chapter, not exceeding four acres of land in an incorporated city, town or village, and not exceeding sixty acres out of such city, town or village. For any of the purposes mentioned in the third section of this chapter, except for a college, academy, high school or other seminary of learning, such trustees may take and hold not exceeding two acres of land, and such land shall not be held for any other use than as a place of meeting for such society or association, and for the education and maintenance of children charitably provided for by them. For the use of a college, academy, high school or any other seminary of learning, such trustees may take and hold real estate without limit. The trustees of any church, religious sect, society, congregation or denomination, holding for the use thereof such property as is mentioned in the first and second sections of this chapter, may in their own name sue for and recover any land or other property so held by them, as well as for damages done by any person to any such property, and may be sued in relation thereto; such suit, notwithstanding the death of any of said trustees or the appointment of others, shall proceed in the name of the trustee by or against whom it was instituted.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XXXIII.

AN ACT to amend and re-enact chapter fifty-six, of the Acts of one thousand eight hundred and seventy-seven, entitled, "An act extending the time in which distraint and sale may be made for taxes and fee bills," as amended and re-enacted by chapter one hundred and sixty-three, of the Acts of one thousand eight hundred and eighty-two, and as still further amended and re-enacted by chapter twenty-nine, of the Acts of one thousand eight hundred and eighty-five.

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That chapter fifty six, of the acts of one thousand eight hundred and seventy-seven, entitled, An act extending the time in which distraint and sale may be made for taxes and fee bills, as amended and re enacted by chapter one hundred and sixty-three, of the acts of one thousand eight hundred and eighty-two, and as still further amended and re-enacted by chapter twenty-nine, of the acts of one thousand eight hundred and eighty-five, be amended and re-enacted so as to read as follows:

Chapter 29,  
Acts 1885,  
amended.

1. That the sheriff or collector of a former term, by himself or his deputies, or any constable of the county, he, or his personal representatives may select, shall have the power of distress and sale for the collection of taxes not returned delinquent, and fee bills due or payable, notwithstanding the expiration of the term of office of such sheriff or collector, under the following restrictions, to-wit: Such power of distress shall be exercised within one year after this act takes effect. There shall be no lien, however, for such taxes and fee bills, on the property levied on by virtue of this act, until from and after the levy is actually made. Nor shall such lien have any priority over liens already accrued on the property levied on. This act shall not apply to any tax ticket or fee bill now barred by the statute of limitations. And upon distress or levy being made by virtue hereof, the debtor may give such bond as may now be given, for the forthcoming of property upon which a fieri facias or distress warrant

Time extended for distraint and sale for taxes and fee bills.

Within what time.

Levy must be actually made to create lien.

No priority over other liens.

Not to apply if barred.

Forthcoming bond; where returned and proceedings on.

Defense;  
what to con-  
stitute.

No security  
for costs.

has been levied, and the bond shall be returned to the clerk's office of the circuit court, and the proceedings thereon shall be the same as now provided by law in relation to bonds for the forthcoming of property levied upon by virtue of a distress warrant, and defense may be made to a suit or motion upon such bond that the amount levied for is not due, in whole nor in part, or that the levy and distress is otherwise illegal; and the person making such distress shall in such cases be required to give security for costs.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

#### CHAPTER XXXIV.

AN ACT to amend and re-enact section one, chapter one hundred and six, of the Code, as amended and re-enacted by chapter one hundred and fifty-eight, of the Acts of one thousand eight hundred and eighty-two, and as further amended and re enacted by chapter thirty-eight, of the Acts of one thousand eight hundred and eighty-five.

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

Section 1, of  
chapter 33,  
acts 1881,  
amended.

1. Section one, of chapter one hundred and six, of the code, as amended and re-enacted by chapter one hundred and fifty-eight, of the Acts of one thousand eight hundred and eighty-two, and as further amended and re-enacted by chapter thirty eight, of the Acts of one thousand eight hundred and eighty-five, is hereby amended and re enacted, so as to read as follows :

Attachment;  
order of.  
When and  
how obtained

1. When any action at law or suit in equity is about to be or is instituted for the recovery of any claim or debt arising out of contract, or to recover damages for

any wrong, the plaintiff at the commencement of the action or suit, or at any time thereafter and before judgment, may have an order of attachment against the property of the defendant, on filing with the clerk of the court in which such action or suit is about to be or is brought, his own affidavit or that of some credible person, stating the nature of the plaintiff's claim and the amount, at the least, which the affiant believes the plaintiff is justly entitled to recover in the action or suit, and also that the affiant believes that some one or more of the following grounds exist for such attachment :

*First.*—That the defendant, or one of the defendants, is a foreign corporation, or is a non-resident of this State ; or

Affidavit.  
Grounds therefor.  
Non-resident.

*Second.*—Has left, or is about to leave, the State, with intent to defraud his creditors ; or

Has left, &c., with what intent.

*Third.*—So conceals himself that a summons can not be served upon him ; or

Conceals himself.

*Fourth.*—Is removing or is about to remove, his property (or the proceeds of the sale of his property, or a material part of such property, or proceeds), out of this State, so that process of execution on a judgment or decree in such action or suit, when it is obtained, will be unavailing ; or

Removing his property.

*Fifth.*—Is converting, or is about to convert, his property, or a material part thereof, into money or securities, with intent to defraud his creditors ; or

Converting his property.

*Sixth.*—Has assigned or disposed of his property, or a material part thereof, or is about to do so, with intent to defraud his creditors ; or

Assigned, &c., property, with what intent.

*Seventh.*—Has property or rights in action, which he conceals ; or

Conceals his property.

*Eighth.*—Fraudulently contracted the debt or incurred the liability for which the action or suit is about to be or is brought.

Debt fraudulently contracted.

And unless the attachment is sued out upon the first of such grounds, the affiant shall also state in his affidavit the material facts relied upon by him to show the existence of the grounds upon which his application for the attachment is based. But upon objection to the

Affidavit to state material facts ; except when.



## CHAPTER XXXV.

AN ACT to correct an error in the enumeration of youth in Red Sulphur district, Monroe county, and authorizing the Auditor of the State to pay said district, fifty-five dollars and sixty-five cents, out of the distributable school fund.

[Passed February 21, 1887.]

Be it enacted by the Legislature of West Virginia:

1. That the auditor pay to the board of education of Red Sulphur district, Monroe county, the sum of fifty-five dollars and sixty-five cents, the same being due said district out of the distributable school fund by an error in the enumeration of youths in said district, in the year one thousand eight hundred and eighty-five.

Board education Red Sulphur district; certain sum ordered paid to, for what.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XXXVI.

AN ACT to amend and re-enact the charter of the town of Grafton, as enacted by the act to incorporate the town of Grafton, in Taylor county, passed March fifteenth, one thousand eight hundred and fifty-six, by the General Assembly of Virginia, and as amended by the act amending the charter of the town of Grafton, passed February the twenty-eighth, one thousand eight hundred and sixty-six, and as amended by the act to amend the charter of the town of Grafton, in Taylor county, passed February the fifteenth, one thousand eight hundred and seventy-one.

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia:

1. That the act to incorporate the town of Grafton,



**Town of Grafton; act incorporating, amended and re-enacted.**

in Taylor county, passed March fifteenth, one thousand eight hundred and fifty-six, by the General Assembly of Virginia, as amended by the acts of the Legislature of West Virginia, passed February the twenty-eighth, one thousand eight hundred and sixty-six, and February the fifteenth, one thousand eight hundred and seventy-one, be amended and re-enacted so as to read as follows:

**Corporate limits and boundaries.**

1. The corporate limits and boundaries of the town of Grafton shall be as follows: Beginning on the north bank of the Valley river, opposite the mouth of Bartley creek, at two sycamore trees, thence to the intersection of Grant and Main streets, thence with Grant street to Washington street, thence to a large spring on the Northwestern turnpike, thence east with the meanders of said turnpike to the intersection with the Grafton road, near the dwelling of John W. Blue, thence south to the railroad bridge at the cut-off, thence with the north bank of Three Fork creek to southeast corner of Rogers' mill, thence south to the eastern pier of the boom, and thence with the meanders of the river to the beginning.

**Municipal authorities; mayor and council.**

2. The municipal authorities of said town shall be a mayor and six councilmen, who shall be freeholders therein, and who shall form a common council.

**Mayor and councilmen to be a corporation; name and powers of.**

3. The mayor and councilmen, as soon as they have been elected and qualified, shall be a body politic and corporate, by the name of "Town of Grafton," and by that name shall sue and be sued, plead and be impleaded, and shall have perpetual succession and a common seal; may purchase and hold real estate, necessary to enable them the better to discharge their duties, and needful for the good order, government and welfare of said town.

**Corporate powers; who to exercise.**

4. All the corporate powers of said corporation shall be exercised by the said council or under its authority, except where otherwise provided.

**Town officers; how appointed; duties of.**

5. There shall be an alderman, who shall be one of the councilmen, a town clerk, an assessor and a superintendent of streets and alleys, appointed by the council, to continue in office during its pleasure, and perform the duties respectively, as hereinafter prescribed, or as may be required by the council.

6. The qualified voters of said town shall, on the third Monday in March, eighteen hundred and eighty-

seven, elect six councilmen, a mayor and a sergeant, as is hereinafter provided, to hold their offices as follows: The three councilmen receiving the highest number of votes, two years, and the three councilmen receiving the lowest number of votes, but one year, the mayor and sergeant one year. And a general election for officers shall be held annually thereafter on the third Monday in March. The terms of office of the mayor and all the councilmen in said town, now in office, shall expire on the qualification of the councilmen and mayor elected under this section on the third Monday in March, eighteen hundred and eighty-seven, and the terms of officers elected after the said election in eighteen hundred and eighty-seven; shall commence on the first Monday in April thereafter.

Election of mayor, councilmen and sergeant; when; their term of office.

When term of office of present mayor and councilmen expire.

When terms of new officers begin.

7. All persons resident in said town and entitled to vote for district officers shall be entitled to vote at all town elections.

Who may vote at town election.

8. When a vacancy shall occur, from any cause, in the office of mayor, councilman or sergeant, the vacancy shall be filled by the council until the next general election for town officers.

Vacancies; how filled.

9. All elections of the town shall be held at such place or places in the town, and under such supervision, rules and regulations, not inconsistent with the laws regulating district elections, as the council may prescribe.

Elections; where held and how governed.

10. All contested elections shall be heard and determined by the council, under such rules as may be prescribed by ordinance.

Contests; how determined.

11. No person elected or appointed to an office in said town shall enter upon the duties of his office unless he has, within ten days after his election or appointment, filed with the town clerk the certificate of a person authorized to administer oaths that he has taken and subscribed the oath of office prescribed for district officers.

Oath of officers.

12. The council shall be presided over at its meetings by the mayor, and, in his absence, by the alderman, and in the absence of both, by one of the councilmen.

Council; how presided over.

13. A majority of the councilmen shall be necessary to constitute a quorum for business.

Quorum.

14. At each meeting of the council, the proceedings of the last meeting shall be read and corrected, if erroneous.

Proceedings of last meeting to be read.

**Ayes and noes.** neous, and signed by the presiding officer; upon the call of any member the yeas and nays on any question shall be taken and recorded in the journal. The mayor, in case of a tie, shall have the casting vote.

**Mayor invested with veto power.**

**Effect of veto.**

**Power of council over streets, alleys, sidewalks, etc.**

**Over public grounds and buildings.**

**To prevent injuries, annoyances, nuisances, etc.**

**To impound animals.**

**To provide burial grounds.**

**To regulate buildings, division fences, walls, etc.**

**To raise revenue.**

**To provide a guard, etc.**

**To take bonds from officers; how made payable.**

15. The mayor of said town shall have the veto power, and in every case of the appropriation of money, or the passage of any ordinance or resolution by the council, he shall have authority to return the same to the next regular meeting of the said council with his objections, and in every such case, the same shall have no force nor effect, unless it be subsequently passed by two-thirds vote of the said council; provided, however, that any item of any order appropriating money not disapproved by the mayor in such veto shall have the force and effect according to the provisions of the order appropriating the same.

16. The council so constituted shall have power within said town to lay off, open, curb and pave streets, alleys, walks and gutters for the public use, and to alter, improve and light the same, and have them kept in good order and free from obstruction on or over them; to regulate the width of sidewalks and streets, and to order the sidewalks, footways and gutters to be curbed, paved and kept in good order, free and clean, by the owners or occupants of the adjacent property; to lay off public grounds and provide, contract for, and take care of public buildings proper to the town; to prevent injury or annoyance to the public or individuals from anything dangerous, offensive, or unwholesome; to preserve the health of the town; to prevent and remove nuisances; to prevent the introduction of contagious diseases within the town and within three miles of the same; to impound and forfeit animals running at large; to regulate the keeping of gunpowder and other combustibles; to provide for and regulate the burial of the dead, and for this purpose may purchase and hold land for a cemetery, near or convenient to said town, and provide for its improvement and security; to provide for the regular building of houses and other structures, for the making of division fences and party-walls for shade and ornamental trees, and against the danger or damage from fires; to provide a revenue for the town and appropriate the same to its expenses; to adopt rules for the government of its body; to protect property; keep a town guard; to appoint and order out a patrol when deemed necessary; to appoint such officers as they may deem proper; to define the powers, prescribe the duties and fix the compensation of all officers; require and take from them, bonds, with such sureties and in

such penalty as the council may determine, conditioned for the true and faithful discharge of their duties; all bonds to be made payable to the town in its corporate name; to erect, authorize, regulate, control or prohibit the erection of gas works or water works; to prevent the pollution of springs, wells, waters and water works, and the sale of unwholesome and adulterated food; to establish and regulate markets, to prescribe the time of holding the same; to prevent the molesting, interrupting, or disturbing of religious congregations, public shows, literary or other societies or schools; to provide for the drainage of lots by the proper drains and ditches; to provide for the punishment of all offenses cognizable by a justice of the peace; to prevent gambling and the keeping of houses of ill-fame; and to do such things as the council shall deem necessary to promote the general welfare, interest, prosperity, peace, morals, and good order of the said town; for all which purposes, except that of taxation, the council shall have jurisdiction for one mile beyond the town; and to regulate and provide for weighing and measuring hay, coal and other articles for sale in said town, and to regulate the transportation thereof through the streets, and to provide for the poor.

To erect gas works, etc.

To regulate markets, etc.

To prevent certain disturbances.

To provide for punishment of offenses.

Their jurisdiction; where to extend.

17. To carry into effect the powers conferred upon said town, by this or any other act of the legislature, the council shall have power to adopt all needful orders, by-laws and ordinances, and to prescribe, impose and enforce reasonable fines and penalties, including imprisonment for a term not exceeding thirty days, under the judgment and order of the mayor of said town.

Council to adopt ordinances, &c., and provide punishments, &c.

18. The council shall provide for the safe keeping of persons who may be committed for default in payment of fines, penalties and costs; and may require the liquidation of such fines, penalties and costs, at a reasonable rate per diem, by work for the benefit of the town, and may use such means to prevent escape while at work as they may deem expedient.

Failure to pay fines, &c.; what then?

19. The council shall, annually, make up and enter upon its journal an estimate of all sums which are or may lawfully become chargeable to said town, and which ought to be paid within one year; and it shall order a levy sufficient to pay the same. The levy so ordered shall be upon all dogs and upon all real or personal estate subject to county taxes. *Provided*, That the taxes so levied upon property shall not exceed one dollar for every one hundred dollars valuation, and one dollar on each male person over twenty-one years of

Duty of council as to finances.

Levy, upon property and dogs.

Limit of levy.

age, not exempt from taxation on account of bodily infirmity.

Assessor; how appointed; his duties, powers, liabilities, etc.

Council to prescribe rules and regulate assessments.

How assessments to be made.

Erroneous assessments; how corrected.

Town license may be required. Tax on State license imposed.

Proceeds; how to be applied.

Council exclusive authority to grant or refuse certain licenses.

20 In order to aid the said council in ascertaining the property and tithables subject to taxation by said town, the council shall have the authority to appoint an assessor thereof, and to prescribe by ordinance his duties, qualifications and compensation. And to aid him such assessor shall have access to all books and public records of Taylor county, and he shall also have the same power, and be subject to the same penalties in ascertaining and assessing the property and subjects of taxation within said town, as are granted to and imposed upon the county assessors throughout the State, by general law. And the council shall also have authority to prescribe by ordinance, all such other rules and regulations, as may be necessary and proper, to enable such assessor to ascertain and assess all property and tithables liable to be taxed in said town, and to enforce the same by reasonable fines and penalties. It shall be the duty of such assessor to make an assessment of the property within said town, subject to taxation, substantially in manner and form in which assessments are made by assessors of the counties in this State, and taxes for town purposes shall be levied only on the values of property as ascertained for State purposes, and such other of personal property ascertained by him, and upon such property so ascertained by him he shall assess the value thereof; but the council of said town shall have the power, upon the application of any person, who may feel himself aggrieved by such assessment, to correct the same, and make such orders correcting the same as may be just and proper.

21. The council may require a town license for, and may impose a tax on anything for, which a State license is required, and may require from the person so licensed a bond with such sureties, penalties and conditions as it may determine; and may require a license of each agency of a foreign fire insurance company, and of each fire insurance broker, and may impose an annual tax on every such license not exceeding twenty dollars, the proceeds of which shall be appropriated and used for providing means for extinguishing fires.

22. The council shall have exclusive authority within said town to grant or refuse license to the keepers of ordinaries, hotels, inns and taverns, houses of public or private entertainment, boarding houses, public eating houses, coffee houses, places of public amusement, and boarding stables, or stables for feeding or keeping

horses, mules and cattle, for a compensation. *Provided*, however, that persons keeping an inn, hotel or tavern, with stabling attached, shall not be required to have any other license than the license to keep an inn, hotel or tavern, by reason of their keeping and feeding horses, mules and cattle for compensation. Said council shall further have authority to regulate the manner in which such houses or places shall be kept and to lay and collect taxes thereon, in addition to any tax, which is or shall be payable on the same to the State or Taylor county.

*Proviso as to certain inn-keepers.*

*Manner of keeping public houses, &c.; regulated.*

*Additional tax.*

23. Said council shall still further have authority with- in said town to refuse, and with the consent of the county court to grant, license to sell spirituous liquors, wine, porter, ale or beer, intoxicating cider, or any drink of of a like nature ; and the council shall also have author- ity to assess by ordinance and collect a license tax from every person licensed under the authority of this sec- tion, in addition to other taxes imposed upon him or his property ; *Provided*, however, that the sense of the voters of said town shall be taken at each general election regarding the granting of such license, and un- less a majority of the votes cast for and against the same be in favor of such license, the council shall not grant the same for the next ensuing year.

*License to sell spirituous liquors ; how granted or re- fused.*

*Tax on such license; how assessed and collected.*

*Sense of vot- ers to be taken on grant- ing such li- cense; how and when.*

24. The sergeant shall collect the town taxes, levies, licenses, and all other claims due the town, placed in his hands by the council, and shall disburse the same upon the order of the council, signed by the mayor and countersigned by the clerk. He may distrain and sell for taxes in like manner as a sheriff may for State taxes, and shall in all respects have the same power, as a sheriff, to enforce the payment and collection thereof, after thirty days from the time the assessor's books are placed in his hands for collection. And shall within the town exercise all the duties that a constable can legally ex- ercise, and shall be entitled to the same compensation therefor, and he and his sureties shall be subject to all the fines, penalties and forfeitures, for any failure or dereliction in said office, for which a constable is legally liable, to be recovered in the same manner and before the tribunals that the same are now recovered against constables.

*Taxes, levies, etc.; how col- lected and disbursed.*

*Distrain and sale for; how made.*

*Sergeant; his powers, duties and liabil- ities.*

25. He shall at least once in every six months, during his continuance in office, and oftener, if required by the council, render an account of the taxes, licenses and other claims in his hands for collection, and shall pay interest at such rate, not to exceed twelve per centum

*Sergeant to render ac- count of tax- es, &c., in his hands for col- lection.*

To pay what interest; on what.	per annum, as the council may provide, on all moneys with which he is chargeable at the expiration of his term of office. No deductions shall be allowed him for taxes unless he makes a delinquent list within one year from the time he received the assessor's books for collection, and return the said list to the council, with an oath thereto attached, that he has used due diligence to collect the same, that it is correct and just, and that he has received no part of the taxes mentioned in said list.
Deduction for delinquents; made when.	No person shall be eligible to the office of sergeant for more than two consecutive years.
Eligibility.	26. There shall be a lien upon real estate within such town for the taxes assessed thereon, and for all other assessments, fines and penalties assessed or imposed upon the owners thereof, by the authorities of said town, from the time the same are so assessed or imposed, which shall have priority over all other liens, except the lien for taxes due the State, county and district, and may be enforced by the council in the same manner now provided by law for the enforcement of the lien for county taxes or by bill in chancery in the circuit court of Taylor county, or in such other manner as the council may by ordinance prescribe. If any real estate within said town be returned delinquent for the non-payment of taxes thereon, a copy of such delinquent list may be certified by the council to the auditor, and the same may be sold for the taxes, interest and commission thereon, and in the same manner, at the same time and by the same officer, as real estate is sold for the non-payment of State taxes.
Lien on real estate for taxes, etc.	Priority.
Priority.	Liens, how enforced.
Liens, how enforced.	Delinquent list; how certified.
Delinquent list; how certified.	Sale for taxes, etc., when, how and by whom made.
Sale for taxes, etc., when, how and by whom made.	27. The mayor shall be the chief executive officer of the town, shall take care that the orders, by laws, ordinances, acts and resolutions of the council are faithfully executed, and shall receive such fees and compensation as the council may prescribe. He shall be ex-officio a justice and conservator of the peace within the town, and shall within the same have, possess and exercise all the powers, and perform all the duties vested by law in a justice of the peace, and shall receive the same fees for like services. He shall not receive any money belonging to the State or to individuals, unless he shall give bond and security as is required of a justice of the peace by chapter fifty, of the code, and all the provisions of said chapter relating to moneys received by a justice shall apply as to like moneys received by him. He shall have control of the police of the town, and shall nominate and appoint a marshal and special police officers, by and with the consent of the council; shall see that peace and good order are
Mayor to be executive officer; his duties, fees, etc.	Mayor ex-officio justice of the peace, within what limits.
Mayor ex-officio justice of the peace, within what limits.	Shall exercise all powers of justice.
Shall exercise all powers of justice.	Bond; when required.
Bond; when required.	To have control of police, appoint marshal, etc.; how.
To have control of police, appoint marshal, etc.; how.	

preserved, and that persons and property are protected in the town; shall have power to issue executions for all fines, penalties and costs imposed by him, or may require the immediate payment thereof, and in default of such payment may commit the party in default to the place of imprisonment provided by the town, until the fine, penalties and costs be paid, as may be prescribed under section eighteen, of this act. He shall, from time to time, recommend to the council such measures as he may deem needful for the welfare of the town.

Fines, etc.;  
how collected.

Default of  
payment;  
how punish-  
ed.

Mayor to rec-  
ommend  
to council,  
what.

28. When any fine, penalty or punishment may be lawfully imposed for a violation of an ordinance, the proceedings shall be by summons on behalf of the town as plaintiff, and shall conform to the regulations, so far as they are applicable respecting civil suits "for damages for wrong" before justices, but the summons shall specify the section of the ordinance violated. The mayor, for good cause shown, may by endorsement on any summons, order the defendant or defendants to be arrested and forthwith brought before him to be dealt with according to law, and if an offense be committed in the presence of the mayor, or other officer of the town, the offender may be forthwith apprehended without summons or endorsement thereon, and be dealt with according to law.

Proceedings  
on fines, etc.,  
to conform to  
what.

Summons;  
what to speci-  
fy.

Defendant  
may be ar-  
rested; when  
and how.

29. The marshal shall collect the fines imposed by the mayor, and perform such other duties as the council may prescribe. All processes, executions, rules and orders of the mayor, whether issued in the exercise of his jurisdiction as mayor, or justice, shall be directed to the marshal of the town, and may be executed by him anywhere within the county of Taylor, except, that the mayor may at any time appoint a special officer to act in any case or to serve any particular process, execution, rule or order. The marshal in the execution of said processes, executions, rules or orders, shall have the same powers and rights and be subject to the same liabilities, govern his proceeding by the same rules and be entitled to the same fees as a constable.

Marshal; his  
duties.

Process, exe-  
cutions, etc.,  
to whom di-  
rected.

How and  
when may be  
executed.

Appointment  
of special offi-  
cer.

Powers, fees  
and liabilities  
of marshal.

30. The compensation of the officers of the town shall not be increased or diminished during their terms of office.

Compensati'n  
of officers;  
not to be in-  
creased or di-  
minished.

31. For any default or liability on the part of an officer of said town, the council may, by action or motion in the name of said town, obtain judgment before the circuit court of Taylor county, or before a justice hav-

Officer in de-  
fault, &c.;  
how proceed-  
ed against.



ing jurisdiction of such action or motion against such officer and his sureties, or any or either of them, or their heirs or legal representatives.

**Term of office.** 32. The term of every officer of the town shall continue, unless the office be vacated by death, resignation, removal from office or otherwise, until his successor is elected or appointed and qualified.

**Town to be divided into wards; when.** 33. The council shall upon the passage of this act, and once in every ten years thereafter, divide the town into not less than three nor more than six wards, and cause enumerations to be made of the number of persons residing in the several wards and town, and they shall apportion the number of members among the several wards, as nearly as practicable in proportion to the number of persons residing therein.

**Enumeration and apportionment.**

**Who may be member of council.** 34. No person shall be a member of the council of said town, from any ward thereof, unless he is a resident of the ward, and the members from each ward shall be elected by the actual resident voters thereof.

**How elected.**

**When owner fails to pave sidewalk, &c., council to pave, &c.** 35. If the owner or occupant of any sidewalk, footway or gutter, in said town, or the real property next adjacent thereto, shall fail or refuse to pave or keep the same clean in the manner or within the time required by the council, it shall be the duty of the council to cause the same to be done at the expense of the town, and assess the amount of such expense upon such owner or occupant; and the same may be collected by the regular sergeant in the same manner herein provided for the collection of town taxes.

**At whose expense.**

**How recovered.**

**Condemnation of real estate.** 36. The condemnation of real estate for streets, alleys, drains and gutters, or for other purposes in said town, shall be as prescribed in chapter forty-two, of the Code of West Virginia, and shall be at the expense of the town.

**At whose expense.**

**Town exempted from expense in regard to roads, etc., not in town.** 37. The said town, and taxable persons and property therein, shall be exempt from all expense and liability for the construction and repair of roads or bridges outside the corporate limits of said town; and whenever the town shall provide for its poor, it shall not be liable to pay county poor tax.

**Inconsistent acts repealed.** 38. The act to incorporate the town of Grafton, in Taylor county, passed March fifteenth, one thousand eight hundred and fifty-six, by the General Assembly of Virginia, the act amending the charter of the town

of Grafton, passed February twenty-eighth, one thousand eight hundred sixty-six, and the act to amend the charter of the town of Grafton, in Taylor county, passed February fifteenth, one thousand eight hundred and seventy-one, and all acts and parts of acts, so far as they are inconsistent with this act, are hereby repealed.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER XXXVII.

AN ACT to amend and re-enact sections ninety-six and ninety-seven, of chapter fifteen, of the Acts of one thousand eight hundred and eighty one.

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That sections ninety-six and ninety-seven, of chapter fifteen, of the acts of one thousand eight hundred and eighty-one, be, and the same are hereby amended and re-enacted so as to read as follows:

96. The president of the board of regents, of the State normal school and its branches, upon receipt of the reports required in the ninety-fifth section of this chapter, shall furnish the auditor of the State with the number of the non-paying normal pupils in actual monthly attendance in each of the said normal schools, and the number of months of actual attendance, upon the receipt of which report, and upon the requisition of the president of the board of regents, the said auditor shall issue, to the executive committee of each of said schools, warrants upon the treasury of the State for the amount due said schools, at the rate of three dollars and fifty cents per month for every non-paying normal pupil reported as in monthly attendance, which said sum shall include tuition and the use of books and apparatus: *Provided*, that the aggregate amount so appropriated in one year to any normal school, shall not exceed the sum of two thousand, two hundred dollars. And provided, further, that the State superin-

Sections 96 and 97, chapter 15, Acts 1881, amend'd.

Normal schools; what report president of board of regents of, to make to auditor, and when.

Duty of auditor on receipt of report and requisition of president.

How amount apportioned, and what to include.

Amount to each school, limited.

Provision to be made for education of colored teachers.

Appropriation to pay, and how paid.

Necessary funds appropriated; how and when to be paid.

Amount unearned; how to be applied.

tendent of free schools shall, if possible, in every year, make arrangements with some suitable institution of learning in this State for the education and normal school training of a number of colored teachers, in the proportion to the colored population of the State which the non-paying white students in the normal schools bear to the white population of the State; but the amount to be paid for each of said colored teachers shall not exceed the sum herein specified for each non-paying white student; and an additional sum to the extent necessary to pay the tuition of said colored students, is hereby appropriated, payable out of the treasury of the State in each year, as provided for in the next section, upon the requisition of the State superintendent of free schools.

97. So much money as may be necessary to pay the amount directed to be paid by the ninety-sixth section of this act, is hereby appropriated and made payable from year to year in the manner aforesaid; but if any normal school do not earn the amount of two thousand, two hundred dollars by the method therein set forth, then the residue thereof shall be used for the employment of teachers in said schools as directed by the board of regents.

[Approved March 1, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER XXXVIII.

AN ACT to amend and re-enact chapter one hundred and seven, of the acts of one thousand eight hundred and seventy, entitled "An act to provide for orphans and destitute children."

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That chapter one hundred and seven, of the acts

of one thousand eight hundred and seventy, entitled Chapter 107,  
 an act to provide for orphans and destitute children, be Acts 1870,  
 amended and re-enacted so as to read as follows : amended.

1. That it shall be lawful for the directors of any corporation formed under chapters fifty-three, fifty-four and fifty-five, of the code of West Virginia, or organized under special charter for the purpose of an orphan asylum or children's home in this State, or for the trustees of any orphan asylum or children's home established under the laws of this State, or of Virginia, to take under their guardianship all children who may be placed under their care and management, in either of the following modes :

Orphans and destitute children.  
 Directors or trustees of orphan asylum to take charge of.

*First*—Children under fourteen years of age, who shall be voluntarily surrendered by their father, or in case of his death, or long continued or willful absence, by their mother, or by their guardians, to the care of said directors or trustees, they being by virtue of such surrender, invested with the same power over the said children as the parent, or guardians were themselves possessed.

Children punished by parents or guardians.

*Second*—Children under fourteen years of age, who, upon the application of said directors or trustees, may be committed to their care by any judge of a circuit court of any county, or by the clerk of the county court thereof, wherein such corporation, orphan asylum or children's home shall exist, on account of vagrancy or exposure to want or suffering, or neglect or abandonment of such children by their parents or guardians, or by other persons having custody of said children, or by reason of any such children having been found begging in such county, or likely to become chargeable thereto, or in accordance with the request of the mother or next friend of any child or children, in case of habitual intemperance, abuse or neglect of the father of such child or children; and it shall be the duty of such judge or clerk, so committing any child to the care of said directors or trustees, to annex to the commitment an abstract of the evidence taken before him, and on which the adjudication was founded, which evidence shall have been taken under oath or affirmation.

Children committed to their care by judge or clerk of court.  
 For what causes, committed.  
 Abstract of evidence to accompany commitment.

2. Said directors or trustees shall have the guardianship of such children until they attain the age of twenty one years, if a boy, or eighteen years, if a girl, and may, when in the discretion of said directors or trustees it shall appear proper, place any of said children in suitable homes, having scrupulous regard to the re-

Directors, &c., to have guardianship of children until of proper age.  
 Discretion to place them in suitable homes.

ligious and moral character of those with whom such children are placed, in order to secure to them the benefits of good example and wholesome instruction, and the opportunity of becoming intelligent and useful men and women.

Bond taken from person receiving child.

Conditions.

How made payable, and money recovered thereon how expended.

Services of child not to be transferred; except when.

Directors, &c., may cancel contract, and resume care of child.

May remove child from a home.

May return children to parents or discharge them.

3. Said directors or trustees shall require a bond to be entered into by the person or persons so receiving such child, in a penalty of not less than one thousand dollars, conditioned that such person or persons will furnish said child with good and sufficient clothing, food and medical attendance, and cause it to receive a common school education. Such bond shall be made payable to such corporation or trustees, and any sum of money recovered on such bond shall be expended by such corporation or trustees in the maintenance and tuition of such child.

4. Any person receiving such child or children from the directors of such corporation or from said trustees, under the provisions of this act, shall not assign or transfer his, her or their services for any period without the written consent of the said directors or trustees. And if, for any cause, a person so taking charge of a child desires to be released from the contract, the directors or the trustees, upon application, may in their discretion cancel the same and resume the charge and management of said child, and shall have the same power and authority over him or her as before the agreement was made.

5. The said directors or trustees shall have power to remove a child or children from a home, when, in their judgment, the said home has become an unsuitable one, and they shall, in such case, resume the same power and authority over such child or children as they originally possessed. *Provided*, The said directors or trustees, may in their discretion, return the said children to parents or surviving parents or guardians, or, when they believe said children to be capable of caring and providing for themselves, may discharge them to their own care.

[Approved March 1, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XXXIX.

AN ACT to create an independent free school district out of the town of Point Pleasant, in Mason county, to be known as "The independent school district of Point Pleasant."

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia:

1. That in case a majority of the voters voting on the question, at the election herein provided for, be in favor thereof, the following described territory in the county of Mason shall after the result of such election is ascertained and declared, be an independent school district, and be known as "The independent school district of Point Pleasant," to-wit: All that territory lying within the corporate limits of the town of Point Pleasant, bounded and described as follows: Beginning at a point on the Kanawha river, where a stake is called for corner of C. C. Miller and Samuel Thomas, thence with division line of said Miller and Thomas, north 29 degrees 45 minutes, east 204 poles, 22 links, to stake, thence by the same course 55 poles, 4 links, corner of C. C. Miller, Samuel Thomas and J. D. McEnlloch, thence north 58 degrees, west 297 poles, to stake, on south side of Clarksburg road; thence crossing lands of H. J. Fisher, north 70 degrees, west 90 poles, 12 links, to stake on south side of road, thence north 37 degrees, 30 minutes, west 37 poles to large cedar tree on hill side, thence north 20 degrees, 15 minutes, 121 poles, to chestnut oak on hill side, thence north 28 degrees, 30 minutes, east 134 poles, 11 links, to a small black oak on top of ridge on lands of P. C. Eastham, thence north 73 degrees, 30 minutes, west, passing top of river bank at 168 poles, in all 240 poles, to Ohio and West Virginia State line, thence with said State line by meanderings of Ohio river, 420 poles to a point opposite the center of Kanawha river, thence crossing the Ohio river and up the center of Kanawha river, passing the West Virginia shore at 1,100 feet, thence by the same course, viz: center of Kanawha river 503 poles, to a point opposite division line of O. C. Miller and Samuel Thomas, thence north 29 degrees, 45 minutes, east 325 feet, to place of beginning.

Creation of "the independent school district of Pt. Pleasant," provided for. To be ratified by the voters.

Boundaries thereof.

2. At the next election for county superintendent and other school officers, to be held in pursuance of law, it shall be the duty of the board of education of Lewis district, in Mason county, to submit to the voters resid-

Question to be submitted to voters; when.

ing in said Lewis district, the question of the adoption or rejection of the provisions of this act.

Ballots; what to contain.

Those voting in favor of the establishment of said independent school district shall have written or printed on their ballots, "For independent district," and those voting against the establishment thereof shall have written or printed on their ballots "Against independent district."

Election; how conducted, and result ascertained and declared.

The election shall be conducted, and the result ascertained and declared, by the same officers conducting the election for county superintendent and other school officers on that day. At the said election there shall also be elected by the legal voters residing within the boundaries of said territory of said proposed independent district, a board of education for said independent school district consisting of a president and two commissioners, who shall be a corporation by the name of "The board of education of the independent school district of Point Pleasant, in the county of Mason," and as such shall possess all the powers and be subject to all the liabilities of such corporations, and in addition thereto shall likewise perform all the duties and be subject to all the liabilities both of boards of education and trustees.

Board of education; how constituted.

Of whom to consist.

Name and corporate powers.

Term of office; when to begin.

They shall hold their offices for the term of two years, beginning on the first day of July, next after their election, and until their successors are elected and qualified according to law. And in the year one thousand eight hundred and eighty-nine, and biennially thereafter, a new board shall be elected at the same time and under the same regulations that county superintendents and other school officers are elected; but nothing herein contained shall be construed to prohibit the re-election and eligibility of any member of such board for two or more terms. Vacancies in the board shall be filled for the unexpired term by appointment by said board.

New board to be elected; when.

Re-election of members of board not prohibited.

Vacancies; how filled.

General school law to apply, etc.

3. The independent school district of Point Pleasant, herein authorized to be established and the board of education herein authorized to be elected, shall conform to, and be governed by, the general school law in this State, except where it is otherwise provided by this act.

Unexpended school funds; how apportioned and divided.

4. All school moneys, whether belonging to the teachers' or building fund of Lewis district, which may be unexpended when the provisions of this act take effect, shall be divided between the said Lewis district and the independent school district of Point Pleasant, in proportion to the amount of taxable property in each of the said districts, after the creation of the said independent school district of Point Pleasant.

The latest available assessment for State and county purposes shall be taken as the basis of such settlement and division. It shall be the duty of the boards of education of each of said districts, on or before the first day of July, after their election, to make the financial settlement provided for in this section.

**Basis of estimate.**

**Board to make financial settlement.**

5. The said board of education, at their first meeting after their election, shall appoint a secretary, who shall not be a member of the board, and who shall perform all the duties of a secretary of a board of education prescribed in the general school law, and in addition thereto, shall make an enumeration of the youths of the said independent district, between the ages of six and twenty-one years of age, at the time required by the general school law, and according to the provisions herein contained in relation to making enumeration of youths. Salary of said secretary shall not exceed one hundred dollars per year.

**Board to appoint a secretary; his duties.**

**Salary of secretary.**

6. It shall be the duty of the board of education of said independent district, at their annual meeting, to be held at the time required by the general school law, to ascertain, as near as can be, the amount of money necessary, in addition to other funds properly belonging to said independent district available for that year, to keep the schools of said district in operation not less than six months in the year, for which amount said board shall levy a tax upon the taxable property included in said district, which tax shall be collected in the same manner as other school taxes are collected, under the provisions of the general school law of this State; and for collecting the same the sheriff shall be allowed the same commission as he is allowed by law for collecting the school money for the districts.

**Board to ascertain am't necessary to be raised by levy, for six months school.**

**Shall lay necessary levy.**

**How collected.**

**Sheriff's commission.**

7. The board of education of said independent district shall, at a meeting held not later than the first day of September in each year, appoint as many teachers as they shall deem necessary to give proper instruction to the pupils of school age within said district, and at the same meeting they shall fix the salary which each of said teachers may receive. Such appointment shall be recorded by the secretary of said board; and any teacher appointed by said board may, by them, be removed for incompetency, neglect of duty, intemperance, profanity, cruelty or immorality.

**Teachers; how appointed.**

**Their salaries; how fixed.**

**Removal of teachers; for what causes.**



STATE OF WEST VIRGINIA,  
OFFICE OF SECRETARY OF STATE, }  
March 3, 1887. }

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the house of the Legislature in which it originated, within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

## CHAPTER XL.

AN ACT to amend and re-enact sections fifty and sixty-six, of chapter fifty-four, of the code of West Virginia, as amended and re-enacted by chapter seventeen, of the Acts of one thousand eight hundred and eighty-one.

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

Sections 50  
and 66, chapter  
17, Acts 1881,  
amended.

1. That sections fifty and sixty-six, of chapter fifty-four, of the code of West Virginia, as amended and re-enacted by chapter seventeen of the Acts of one thousand eight hundred and eighty-one, be amended and re-enacted so as to read as follows :

General powers of corporations.

50. Every corporation formed under this chapter shall, in addition to the powers hereinbefore conferred, have power :

To cause surveys, etc., to be made; subject to what.

*First*—To cause such examination and survey for its proposed railroad to be made as may be necessary to the selection of the most advantageous route, and for such purpose by its officers, agents, engineers or employees, may enter upon the lands or waters of any

person or corporation ; but subject to responsibility for all damages which may be occasioned thereby.

*Second.*—To take and hold such voluntary grants of real estate and other property as shall be made to it in aid of the construction and use of its railroad, and to sell and convey the same, when no longer required for the uses of such railroad, not incompatible with the terms of the original grant.

To take and hold voluntary grants of real estate, etc.  
To sell and convey same when.

*Third*—To purchase, hold and use all such real estate and other property as may be necessary for the construction and use of its railroad, and the stations and accommodations necessary to accomplish the object of its incorporation, and to sell and convey the same when no longer required for the use of such railroad.

To purchase, hold and use what property.  
To sell and convey same when.

*Fourth.*—To lay out its road, not exceeding one hundred feet in width, and to construct the same ; and for the purpose of excavations and embankments, to take as much more land as may be necessary for the proper construction, repair and security of the railroad ; and to cut down any standing trees that may be in danger of falling upon or obstructing the railroad, making compensation therefor in the manner prescribed by section forty-nine of this chapter.

To lay out road; width.  
To cut down trees; when and subject to what.

*Fifth.*—To change the grade or location, or general route or termini of its proposed railroad, at any time before the same has been completed, and to adopt a new line, location or route for the same, for the purpose of avoiding annoyance to public travel, or dangerous or difficult curves, or grades, or unsafe, impracticable or unsubstantial or expensive, or otherwise undesirable locations, routes, grounds, or foundations, or for other reasonable cause. But such change shall only be made when it has been heretofore, or shall be hereafter, authorized by a majority of two-thirds of all the stockholders of such corporation voting thereon at an annual or a special meeting of the stockholders, and it shall operate a release of the right of such corporation to build on the abandoned location, and the order or resolution of the stockholders authorizing such change shall be certified by the corporation to the secretary of the state, and recorded as provided in section thirty-three of chapter fifty four of the code. And all the provisions of said chapter shall apply to such new route, location, grade and line of said railroad.

To change grade, location, general route or termini of road before completion.  
Change, how authorized.  
Operation as to abandoned location.  
Order authorizing change, to be certified to and recorded by secretary of State. Law to govern new route.

*Sixth.*—To construct its railroad across, along, or upon

To construct railroad across any stream, street, highway, road, etc. Must restore same to former state, and keep in repair.

Bridging navigable stream not authorized.

Not to build road on or across street without assent of corporation.

Proviso.

Stations; where to be established.

Proviso as to highways, canals, etc.

Consent of authorities to be obtained or route condemned.

Connection of roads in certain cases not authorized.

To cross or intersect, etc., any other railroad.

Railroads to unite in forming intersections.

Cases of disagreement; how determined.

any stream of water, watercourse, street, highway, road, turnpike or canal, which the route of such railroad shall intersect or touch; but such corporation shall restore the stream, watercourse, street, highway, road, turnpike or canal, thus intersected or touched, to its former state, or to such state as not unnecessarily to have impaired its usefulness, and to keep such crossing in repair. Nothing in this chapter contained shall be construed to authorize the erection of any bridge or any other obstruction across or over any stream navigable by steamboats, at the place where any bridge or other obstruction may be proposed or placed, so as to prevent the navigation of such stream; nor to authorize the construction of any railroad upon or across any street, in the inhabited portion of the city, or incorporated town or village, without the assent of the corporation of such city, town or village. *Provided*, that any company running its railroad through or within half a mile of a town or village within this State, containing three hundred or more inhabitants, shall establish a station for the accommodation of trade and travel of such town or village, and, provided further, that in case of the construction of said railroad along highways, roads, turnpikes, or canals, such railroad shall either first obtain the consent of the lawful authorities having control or jurisdiction of the same, or condemn the same under the provisions of section forty-eight, of this chapter. And, provided further, that nothing in this chapter shall be construed to authorize the incorporation of any railroad company, the purpose and effect of which is to connect two other railroads; and thereby abandon as through routes any city or town of this State, which is the terminus of either or both of said railroads, without the consent of such city or town.

*Seventh*—To cross at grade, or to cross over or under, intersect, join and unite its railroad with any other railroad now built and constructed, or hereafter to be built and constructed within this State, at any point on its route, and upon the grounds of such other railroad company, with the necessary turnouts, sidings and switches, and other conveniences in furtherance of the objects of its connections, and every corporation whose railroad is, or shall be hereafter, intersected by any new railroad, shall unite with the corporation owning such new railroad in forming such intersection and connections and grant the facilities aforesaid; and if the two corporations cannot agree upon the amount of compensation to be made therefor, or the points and manner of such crossing and connections, the same shall be ascertained and determined in the manner prescribed by section forty-eight of this chapter.

*Eighth*—To receive and convey persons and property on its railroad by the power and force of steam or animals, or by any mechanical power.

To receive and convey persons and property.

*Ninth*—To erect and maintain all necessary and convenient buildings and stations, fixtures and machinery for such connections, constructions, transfer, accommodation and use of passengers, freights and business interests, or which may be necessary for the construction or operation and repair of said railroad, its track, roadway and machinery.

To erect buildings, fixtures, etc., necessary for all purposes.

*Tenth*—To regulate the time and manner in which passengers and property shall be transported, and the compensation to be paid therefor, subject, nevertheless, to the provisions of any law that has been or may be hereafter enacted.

To regulate time and manner of transportation.

*Eleventh*—From time to time to borrow such sums of money as may be necessary for completing, finishing, improving or operating any such railroad; and to issue bonds, bills of credit or indebtedness and preferred stock, and dispose of the same, for any amount so borrowed; and to mortgage its corporate property and franchises, to secure the payment of any debt contracted by such corporation for the purpose aforesaid; but the concurrence of the holders of two-thirds in amount of the stock of such corporation, to be expressed in the manner and under all the conditions provided in section forty-five, of this chapter, shall be necessary to the validity of any such mortgage; and the order or resolution for such mortgage shall be recorded as provided in section thirty-five, of this chapter; and the directors of such corporation shall be empowered, in pursuance of any such order or resolution, to confer on any holder of any such bond for money, so borrowed as aforesaid, the right to convert the principal due or owing thereon into stock of such corporation at any time, not exceeding ten years after the date of such bond, under such regulations as may be provided in the by-laws of such corporation.

To borrow money, issue bonds, etc.

To mortgage its property and franchises, as security.

Concurrence of what stock-holders necessary.

Bonds convertible into stock; within what time.

*Twelfth*.—To mortgage its property, real and personal, and its franchises, to secure any bonds or stock issued by such corporation for any of the purposes designated in the fifty-second section of this chapter.

To mortgage its property, to secure bonds or stock.

66. If any railroad corporation, organized under this act, shall not, within two years after its articles of association shall be filed and recorded as required in section thirty three of this chapter, begin the construction of

When work of construction to commence.

Amount to be expended.

When to be completed and put in operation. Forfeiture. Further time given as to certain railroads.

When to begin construction.

Certain expenditure in certain time.

When to be completed and put in operation.

Charter not forfeited.

Requisites to be complied with or corporate powers cease.

its road and expend thereon ten per cent. of the amount of its capital, within three years after the date of its organization, or shall not finish its railroad and put it in operation within ten years from the time of filing its articles of association as aforesaid, its corporate existence and power shall cease. But any railroad company organized under the laws of this State since the first day of June one thousand eight hundred and eighty, which shall have complied with section eight of chapter twenty, of the acts of one thousand eight hundred and eighty-five, and which shall commence the construction of its road within two years after the passage of this section as here amended, and shall within three years after the passage of the same, actually and in good faith expend thereon, ten per cent. of its capital stock actually subscribed, and shall within ten years, thereafter, complete its railroad or some part thereof, and put the same or the part so completed into actual operation, then and in every such case the corporate existence, franchise and powers of such railroad company shall be and remain, so far as the part of said road so completed and operated is concerned, the same as though the provisions of section sixty-six, of chapter seventeen, of the acts of one thousand eight hundred and eighty-one, had been fully complied with by such company, and no forfeiture or judgment of ouster shall be rendered against said company, by reason of its failure to comply with said section.

But if any of said railroad companies shall not, within two years after the passage of this section as amended, begin the construction of its road, and expend thereon ten per cent. of its capital stock, actually subscribed, within three years from said date, and shall not complete its road, or some part thereof, and put the same, or the part so completed, into actual operation, within ten years from said date, its corporate existence and powers shall cease, and in case it shall have completed some part thereof only, and put such part into operation, its corporate powers and rights shall cease as to all of said proposed road not so completed and put into operation within said time.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
 GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
 OFFICE OF SECRETARY OF STATE, }  
 March 3, 1887.

I certify that the foregoing act having been pre-

sented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XLI.

AN ACT to amend and re-enact section sixteen, of chapter one hundred and seventy, of the acts of one thousand eight hundred and eighty-two, entitled "An act relating to the school district of Parkersburg."

[Passed February 21, 1887.]

Be it enacted by the Legislature of West Virginia :

1. Section sixteen, of chapter one hundred and seventy, of the acts of one thousand eight hundred and eighty-two, entitled "An act relating to the school district of Parkersburg," is hereby amended and re-enacted so as to read as follows :

School district of Parkersburg, section 16, chapter 170, Acts 1870, concerning, amended.

16. The board of education shall have power to establish, within the district, such schools, including high schools, as may in their judgment be best for the interest of the district. The branches to be taught in the high schools and in the other schools within the district shall be prescribed by the city superintendent, with the approval of the board of education. The schools of the district, whether primary or otherwise, shall be subject to such grading as the board may direct. The said high schools shall be open to all the pupils in the district, but no pupil shall be entitled to enter them until the city superintendent shall have been satisfied that the said pupil has made due proficiency in the branches taught in the other schools in the city of Parkersburg. *Provided*, that all branches of learning taught in the city schools, except those taught exclusively in the high schools, shall be taught, and the city superintendent

High schools may be established.

Branches to be taught therein.

Schools to be graded by board.

Who may enter high schools.

Proviso as to branches taught in schools outside corporate limits.

and board of education shall prescribe them accordingly, in the other schools within said district, but without the corporate limits of said city of Parkersburg.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }  
March 3rd, 1887. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XLII.

AN ACT amending and re-enacting section five, of chapter fifty-four, of the code of West Virginia, as amended and re-enacted by chapter seventeen, acts of one thousand eight hundred and eighty-one.

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

Section 55,  
chapter 54,  
Code, amend-  
ed.

Capital of cor-  
porations  
limited; rail-  
roads except-  
ed.

1. That section five, of chapter fifty-four, of the code of West Virginia, be, and the same is hereby amended and re-enacted, so as to read as follows :

5. The capital of a corporation formed under this chapter, except for railroad or canal purposes, shall not exceed five millions of dollars.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
 OFFICE OF SECRETARY OF STATE, }  
 March 3rd, 1887.

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated, within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER XLIII.

AN AOT to empower the board of education, of the Philippi independent school district, to issue bonds for the erection of a public school building.

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That the board of education of the independent school district of Philippi, in the county of Barbour, be empowered, any time within three years from the passage of this act, to issue bonds for the purpose of erecting a public school building for the use of said independent district. Said bonds shall draw no greater rate of interest than six per cent. per annum and shall be made payable in not less than one, and not exceeding twenty years. Provided, That such indebtedness shall not exceed five per centum of the value of the taxable property in said independent district to be ascertained by the last assessment, made for State and county taxes next before the incurring of such indebtedness, nor without at the same time providing for the collection of a direct annual tax, sufficient to pay, annually, the interest on such indebtedness, and the principal thereof within, and not exceeding twenty years : and Provided, further, that no debt shall be contracted under this act, unless all questions connected with the same, shall have been first

Philippi independent school district; board empowered to issue bonds; when. For what purpose. Rate of interest; when made payable. Indebtedness limited. Valuation of property; how ascertained. Direct annual tax to be provided for. No debt to be contracted unless authorized by vote of the people.



Necessary  
majority.

Time and  
place of elec-  
tion.

submitted at a general school election, in the manner prescribed by law, to a vote of the people of said independent school district, and have received three fifths of all the votes cast for and against the same. The said election shall be held at the same time and place by the officers of the election of common school officers.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA,  
OFFICE OF SECRETARY OF STATE, }  
March 3, 1887. }

I certify that the foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the Legislature in which it originated, within the time prescribed by the Constitution of the state, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

#### CHAPTER XLIV.

AN ACT to amend and re-enact chapter forty-seven, of the acts of one thousand eight hundred and eighty-five, entitled "An act to create and establish the independent school district of West Grafton out of sub-district number one, of Court House district, in Taylor county."

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

Independent  
school district  
of West Graf-  
ton created.

1. That in case a majority of the votes, at the election hereafter provided for, be in favor thereof, the following described territory in Court House district, in the county of Taylor, including the town of West

Grafton, shall, after the result of such election is ascertained and declared, be an independent school district, and be known as "The Independent School District of West Grafton," to-wit: All the town of West Grafton, Boundary of. and the territory adjacent thereto, designated and known as sub-district number one, of Court House school district, as now organized, bounded and described, shall be and constitute the independent school district of West Grafton, beginning at the west end of Fetterman bridge, and running thence with the north-western turnpike to a point near William Posten's, the line of the independent school district of Pruntytown; thence with the line of said Pruntytown district to the Rector farm house; thence with the county road to Payne's crossing of the Parkersburg branch of the Baltimore and Ohio railroad; thence with the county road to Tygart's Valley river, near John Moore's residence; thence down the said Tygart's Valley river to the Fetterman bridge, the place of beginning.

2. At the next election for county superintendents and other school officers, to be held in pursuance of law, it shall be the duty of the board of education of said Court House district to submit to the voters, residing in said Court House district, the question of the adoption or rejection of the provisions of this act, and all persons residing in said district who are entitled to vote at such elections, and no others, shall be entitled to vote on such question. Question to be submitted to voters; when and how; The election shall be by ballot, and those voting in favor of the establishment of such independent district shall have written or printed upon their ballots the words "For independent district," and those voting against the establishment thereof shall have written or printed on their ballots "Against independent district." Who entitled to vote. The election shall be conducted, superintended, and the result ascertained and declared by the same officers superintending and conducting the election of county superintendent and other school officers elected on that day; and all the provisions of the election laws in this State, so far as they are applicable, shall be in force and govern such election, unless herein otherwise provided. Ballots; what to contain. At the said election there shall also be elected, by a separate ballot, by the voters residing in said proposed independent school district, a board of education for the same, consisting of a president and two commissioners, Election; how conducted, &c.; result; how ascertained, &c. who shall be a corporation by the name of "The Board of Education of the Independent School District of West Grafton, in the county of Taylor," and by that name may sue and be sued, plead and be impleaded, purchase and hold such real estate and personal prop- Board a education; election of; separate ballots. Board of corporation; name of. Powers and duties of board.

- erty as may be necessary for the purposes of this act; and, without any transfer or conveyance, they shall be deemed the owners of all real and personal property within the territory aforesaid, now held or owned for free school purposes by the board of education of Court House district, and they shall have all the powers, perform all the duties, and be subject to all the liabilities, both of boards of education and trustees, pertaining to said property. There shall be elected by the qualified voters of said independent school district, on the third Tuesday in May, one thousand eight hundred and eighty-seven, and every four years thereafter, at such time and in such manner as is provided in the general school law of this State, wherein it is not otherwise provided in this act, a president of the board of education, whose term of office shall commence on the first day of July next after his election, and continue for four years, and until his successor is elected and qualified according to law. There shall also be elected at the same time in said district, by the qualified voters thereof, two commissioners, and every two years thereafter, one commissioner, whose term of office shall commence on the first day of July next after their election, and continue four years, and until their successors are elected and qualified according to law; except that one of the commissioners elected on the the third Tuesday in May, one thousand eight hundred and eighty-seven, shall serve only two years. The said president and commissioners so elected shall constitute the board of education in said district. Any member of said board may be re-elected if otherwise qualified. Vacancies in the board shall be filled for unexpired terms by appointment by the board. The ballots used by the voters residing within said proposed independent school district, shall have written or printed on them the names of the persons voted for as members of the said board of education.
- President of board; when and how elected.**
- His term of office.**
- Commissioners; when elected; their term of office.**
- President and commissioners to constitute board.**
- Members may be re-elected.**
- Vacancies. Ballots; what to contain.**
- School law to govern; except, etc.**
- School moneys; how to be divided.**
- Apportionment.**
3. The independent school district of West Grafton, herein authorized to be established, shall conform to and be governed by the general school law of the State, except wherein otherwise provided for by this act.
4. All school moneys, whether belonging to the teachers' or building fund of court-house district, which may be unexpended when the provisions of this act take effect, shall be divided between the said court-house district and the independent school district of West Grafton in proportion to the amount of taxable property in each of said districts, after the creation of the said independent school district of West Grafton. The

latest available assessment for State and county purposes shall be taken as the basis of such settlement and division. It shall be the duty of the boards of education of each of said districts, within ninety days after the provisions of this act are adopted, to make the financial settlement provided for in this section. The said board of education of the independent school district of West Grafton shall have power to lay levies in the same manner as provided by the general school law in the case of other boards of education; but said board shall not lay in any one year a greater levy than ninety cents on the one hundred dollars valuation of property for school and building purposes, and when the levy for the teachers' fund shall exceed fifty cents on the one hundred dollars valuation, then the levy for building purposes for that year shall be correspondingly reduced; but there shall be a sufficient levy to maintain a school for at least four months in each year in said district; and if the board of education of said district choose by levy to provide for a longer term of school in said district they may do so by a vote of the people residing therein, as provided by the general school law.

Basis of settlement.

When and how made.

Powers of board as to levies.

Limit to levy.

Four months school required.

Longer term provided for; how.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
 GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
 OFFICE OF SECRETARY OF STATE, }  
 March 3rd, 1887.

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER XLV.

AN ACT providing for the submission of the proposed amendment of section thirteen, of Article III. of the Constitution of the State, to the voters thereof, for ratification or rejection.

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

Constitutional amendment; when submitted for ratification or rejection.

1. That the question of the ratification or rejection of the proposed amendment of section thirteen, of Article III. of the Constitution of the State contained in the joint resolution of the legislature, adopted on the twenty-first day of February, one thousand eight hundred and eighty-seven, shall be submitted to the voters of the State, at the next general election to be held in the year one thousand eight hundred and eighty-eight.

Voting to be by ballot; what ballot to contain.

2. The voting upon said question shall be by ballot, and those voting for said amendment shall have written or printed on their ballots the words, "Constitutional Amendment, section thirteen, Article III., for ratification;" and those voting against said amendment shall have written or printed on their ballots the words, "Constitutional Amendment, section thirteen, Article III., for rejection;" but no ballot shall be rejected in ascertaining the result of said election, at any place of voting, because all of the said words are not written or printed thereon, if it sufficiently appear what the voter intended.

Ballot not to be rejected, for what.

Election; how conducted, etc.; result, how ascertained, etc.

The said election at each place of voting shall be superintended, conducted and returned, and the result thereof ascertained by the same officers and in the same manner as the election of members of the legislature is superintended, conducted and returned and the result ascertained at said election, and all the provisions of the law relating to general elections as far as applicable shall apply to the election held under the provisions of this act, except where it is herein otherwise provided.

What law applies to; except, &c.

Result; when how and by whom certified.

3. As soon as the result is ascertained, the commissioners, or a majority of them, or the canvassers, if there be any, or a majority of them, at each place of voting, shall make out and sign two certificates thereof, in the following form or to the following effect: "We, the undersigned, who acted as commissioners, (or commis-

Form of certificate.

sioners or canvassers, as the case may be), of the election held at \_\_\_\_\_, in the district of \_\_\_\_\_, in the county of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and eighty-eight, upon the question of the ratification or rejection of the proposed constitutional amendment to section thirteen, of Article III., do hereby certify that the result of said election is as follows: For ratification, \_\_\_\_\_ votes: For rejection, \_\_\_\_\_ votes. Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and eighty-eight.”

The said two certificates shall correspond with each other in all respects and contain the full and true returns of said election at each place of voting on said question. The said commissioners, or one of them, or said conductor, shall within four days, excluding Sundays, after that on which said election was held, deliver one of said certificates to the clerk of the county court and the other to the clerk of the circuit court of the county.

Certificates must correspond.  
What to contain.  
When, by whom and to whom certificates delivered.

4. The said certificates shall be laid before the commissioners of the county court at the court house at the same time the ballots, poll books and certificates of the election for members of the legislature, are laid before them, and as soon as the result of said election in the county upon the question of ratification or rejection is ascertained, two certificates of such result shall be made out and signed by said commissioners in the form or to the following effect: “We, the commissioners of the county court of \_\_\_\_\_, having carefully and impartially examined the returns of the election held in said county in each district thereof on the \_\_\_\_\_ day of \_\_\_\_\_, do hereby certify that the result of said election in said county on the question of ratification or rejection of the proposed amendment to section thirteen, of article III., of the Constitution of the State, is as follows: For ratification, \_\_\_\_\_ votes; for rejection, \_\_\_\_\_ votes. Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and eighty-eight.” One of which shall be filed in the office of the clerk of the county court and the other forwarded by mail to the Secretary of State, who shall file and preserve the same until the day on which the result of said election in the State is to be ascertained as hereinafter stated.

Certificates to be laid before whom; when.  
Two certificates of result in each county, to be made and signed; by whom.  
Form of certificate.

How certificates disposed of.  
Duty of secretary of state as to one sent him.

5. On the twenty-fifth day after said election is held, or as soon thereafter as is practicable, the said certificates shall be laid before the governor, whose duty it shall be to ascertain therefrom the result of said elec-

Certificates to be laid before governor; when; his duty in ascertaining and declaring result.

Majority vote  
ratifies.

When to be in  
force.

tion in the State, and declare the same by proclamation published in some one or more newspapers printed at the seat of government. If a majority of the votes cast at said election be for ratification, the said proposed amendment shall be of force and effect from the time of such ratification, and be part and parcel of the constitution of the State in the place of section thirteen, of article III., as it now stands.

Publication  
of amend-  
ment; duty  
of governor as  
to.

Cost of publi-  
cation.

Refusal to  
publish at  
such rate;  
how to be  
published.

Expenses of,  
how paid.

6. The Governor shall cause the said amendment to be published in any newspaper in any county, which will publish the same at one-third the rates prescribed by law for legal advertising, for three months before the said election. If no newspaper will publish the said proposed amendment at said one-third rate, it shall be the duty of the Governor, to cause the same to be published in some newspaper in every county in the State, in which a newspaper is printed for at least three months before the said election. The expenses of said advertising shall be paid out of the contingent fund.

J. M. ROWAN,

*Speaker of the House of Delegates.*

GEO. E. PRICE,

*President of the Senate.*

STATE OF WEST VIRGINIA,  
OFFICE OF SECRETARY OF STATE, }

March 3, 1887. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,

*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER XLVI.

AN ACT to provide for the removal of mill-dams, and all other dams, in Elk river, of this State, from the Webster county line to the mouth of said river, and in the Guyandotte river below the Wyoming county line.

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That all mill-dams and other dams in Elk river, of this State, between the mouth of said river and the Webster county line, and in the Guyandotte river below the Wyoming county line, which obstruct, impede, or interfere with navigation or floatage of boats or lumber, shall be deemed public nuisances, whether established under order of any court or act of the Legislature, and the owners or occupiers of them may be jointly or separately indicted for maintaining the same, and on conviction, besides judgment of fine or imprisonment, or both, which the court may inflict, judgment shall be rendered that such dam be abated, and the court shall cause such judgment of abatement to be executed.

Certain dams in Elk and Guyandotte rivers, declared public nuisances.

Owners or occupiers may be indicted for maintaining.

What judgment to be rendered.

2. A suit in equity, as for a public nuisance, may be maintained against the owners and occupiers of such dam by any person, prejudiced by the maintenance of such dam for its abatement, and upon its being found to be such nuisance, decree shall be rendered for its abatement and a civil action as for a public nuisance may be maintained against such owners or occupiers, by any one injured, for damages resulting from such dam, and if in such action it be found that such dam is such nuisance, in addition to the judgment for damages and costs, further judgment may be rendered that such dam may be abated, and the court shall cause the same to be executed.

May be abat'd by suit in equity.

Civil action may be maintained against owners, &c., by parties injured.

Judgment in such case.

3. It shall be no defence against such indictment, suit in equity or civil action, if such dam do obstruct, impede, or prejudice such navigation or floatage, that it was erected under order of court or act of the Legislature.

No defence that dam was erected by authority of court or legislature.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
 GEO. E. PRICE,  
*President of the Senate.*



STATE OF WEST VIRGINIA, }  
 OFFICE OF SECRETARY OF STATE, }  
 March 3rd, 1887.

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XLVII.

AN ACT to amend and re-enact sections one, two, four, five and eleven, of chapter sixty-two, of the code of West Virginia, as amended by an act of the legislature of West Virginia, passed March twenty-first, one thousand eight hundred and eighty-two.

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

Chapter 89,  
 Acts 1882,  
 amended.

1. That sections one, two, four, five and eleven, of chapter sixty-two, of the code of West Virginia, as amended by an act of the legislature of West Virginia, passed March twenty-first, one thousand eight hundred and eighty-two, be amended and re enacted so as to read as follows :

Killing, etc.,  
 deer at cer-  
 tain times  
 prohibited.

Chasing deer  
 with dogs  
 prohibited  
 for five years.  
 Violations;  
 how punish-  
 ed.

1. No person shall hunt, kill, chase or wound, any deer from the fifteenth day of December to the fifteenth day of September following. No person shall hunt or chase any deer with dogs within this State for the period of five years from the passage of this act. Any one violating this section shall be guilty of a misdemeanor, and for every conviction thereof shall be fined not less than twenty dollars, nor more than fifty dollars, or may, at the discretion of the court or justice

trying the case, be confined in jail not more than sixty days.

Any justice of the peace for the county, wherein the offense was committed, shall have concurrent jurisdiction of such offense with the circuit court of the county. Justice to have Jurisdiction.

Any person found with any recently killed venison or fresh deer skins in his possession, during the time when the killing of deer is prohibited by this section, shall be presumed to have killed said deer. Possession of fresh venison, etc., gives rise to what presumption.

*Provided.* That this section shall not apply to deer killed by the owners of any premises specially set apart for the protection and propagation of game within the boundaries thereof. Act not to apply to owners of deer.

2. If any person shall shoot, hunt, range, fish or fowl, within the enclosed lands of another person without permission from the owner, occupier or agent thereof, he shall forfeit three dollars for each offense to the owner. Penalty for hunting, etc., in enclosed lands of another, without permission.

When any person is convicted a third time of said offense, the justice rendering judgment therefor shall require him to give a recognizance, with good security, in a sum of not less than one hundred dollars, for his good behavior for a year; or, if he fail to give such security, commit him to jail for one month unless it be sooner given. Duty of Justice upon conviction for third offense.

Such recognizance shall be forfeited if such person offend as aforesaid within the time limited in the recognizance. Recognizance forfeited when.

And the provisions of this section shall apply to the unenclosed lands of any district of any county from and after the order of the county court of the county made to that effect. To apply to what unenclosed lands.

The county court of any county shall, upon the petition of ten or more freeholders of such district being filed in such court, by an order entered of record, order that the provisions of this section shall apply to all lands within such district, or to such lands within such district as the owners thereof shall subscribe their names upon said petition, and such order shall be published once a week for four successive weeks in some newspaper published in such county, and posted for a like period at the front door of the court house of such county. County court may order provision to apply to all lands in district, when.

The expenses of such publication shall be paid by such petitioners. Publication and posting of such order.

4. It shall not be lawful for any person to catch or destroy any of the fish in the creeks or rivers of this State by means of drag or other nets, fish pots, weirs, traps, by sledging, shooting or other devices (except by hook and line, gig and spear), nor shall it be lawful to place in the rivers, creeks or streams of this State, at any time, any fish pots, weirs or traps; nor shall it be lawful for any person to catch or destroy any of the fish Expenses, how paid.

Unlawful to catch or kill fish, except with hook and line, gig or spear.

Unlawful to place in rivers, etc., fish-pots, traps, etc.

Sledging, shooting, seining, etc., prohibited, within what time.

Catching or destroying certain fish, within certain times, prohibited.

Unlawful to kill fish with poison or explosives.

Unlawful to trespass on enclosed field, etc.

Not lawful to catch, etc., fish in another's pond, etc., except, etc.

Provision as to minnows, etc., for angling, etc., and fish for propagation.

To knowingly buy, etc., fish unlawfully taken a misdemeanor.

Unlawful to let water out of fish ponds, etc.

How punished.

Owners unenclosed ponds to put up sign boards; what to contain.

in the rivers of this State, by means of drag or other nets, sledging, shooting, seines or other devices (except by hook and line and spear), from the first day of April to the first day of December of each year. It shall not be lawful to catch or destroy any jack salmon, or white salmon, in any manner, between the first day of April and the fifteenth day of June of each year, nor to catch or destroy any brook trout or land locked salmon, in any manner, between the first day of September and the first day of January of each year; nor shall it be lawful for any person to kill fish at any time with *cocculus indicus*, or other poison, or by the use of explosives.

It shall not be lawful for any person, engaged at any time in catching fish, to trespass upon or go into any enclosed field, adjoining or near to the stream in which said person is fishing; nor to pass through any enclosed field for the purpose of fishing, without permission from the owner or occupier of such field; nor shall it be lawful for any person, at any season, to catch or destroy fish in any dam or pond, the property of any person, except with the consent of the owner of such dam or pond, unless such dam or pond be in some of the rivers of this State. But nothing in this act shall be so construed as to prevent the catching of minnows or small fish (except salmon, shad and trout), by means of hand or cast nets to be used for angling or scientific purposes; nor to prevent the fish commissioners of this State, or any person with their consent, from catching any fish at any time with nets or seines, for the purpose of propagation, or stocking other waters, nor to prevent any person from taking in any way fish from his private dam, pond or spring at any time. Any person, who shall buy, or receive any brook trout, land-locked salmon, California salmon, German carp, or any other fish caught or taken contrary to the provisions of this act, knowing the same to be so caught or taken, shall be guilty of a misdemeanor, and shall be punished therefor as hereinbefore provided.

Any person who shall wrongfully and wilfully let the water out of any pond mentioned herein, with intent to take or injure fish therein, shall be guilty of a misdemeanor, and shall be punished, on conviction, by imprisonment in the county jail not exceeding six months, or by a fine not exceeding two hundred dollars, or by both fine and imprisonment.

The owners or those in control of land, or rights in lands, in or bordering upon any pond designated in this act, shall have erected and maintained in a conspicuous place along such pond when they are uninclosed, sign boards at least one foot square, and at a distance apart

of not more than forty rods, and which shall have thereon the name of the party in control and the words, "Trespassers warned off under penalties of the law."

Any person who shall wilfully and wrongfully tear down, deface or injure the sign boards, provided for in this section, shall be guilty of a misdemeanor, and liable to a penalty of twenty five dollars. Penalty for injuring such boards.

5. Any person violating the preceding section shall be guilty of a misdemeanor, and for every conviction thereof shall be fined not less than ten dollars nor exceeding fifty dollars and may, at the discretion of the court or justice trying the case, be confined in jail not exceeding two months. Violations of foregoing section; how punished.

Any justice of the peace for the county wherein the offense is committed shall have concurrent jurisdiction of such offense with the circuit court of the county. Jurisdiction of Justice.

11. It shall be unlawful for any person in any place to catch, kill or injure, or to pursue with such intent, any quail or Virginia partridge, between the first day of December and the tenth day of October; or any wild turkey between the first day of January and the fifteenth day of September; or any ruffled grouse, pheasants, pennated grouse, prairie chicken, between the first day of January and the first day of October, or blue winged teal, mallard or wood duck, or any other wild duck, wild goose or brant, at any time between the first day of April and the first day of October. And it shall be unlawful for any person at any time to catch by seine, net or trap, any quail or Virginia partridge. And it shall be unlawful for any person by the use of any swivel or pivot gun or any other than the common shoulder gun, or by the aid of any push boat or sneak boat used for carrying such gun, to catch, kill, wound or destroy or to pursue after with such intent, upon any of the waters, bogs, rivers, marshes, mud flats, or any cover to which wild fowls resort within this State, any wild goose, wild duck or brant. Certain birds; unlawful to kill, etc., at certain periods. Unlawful to trap, etc., quail. Unlawful to use swivel, etc., sneak boat, etc., to kill wild ducks, etc.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, )  
OFFICE OF SECRETARY OF STATE, }  
March 3rd, 1887. )

I certify that the foregoing act having been presented to the Governor for his approval, and not having been

returned by him to the House of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER XLVIII.

AN ACT to amend and re-enact sections three and seven, of chapter fifty-eight of the Code of West Virginia, as amended and re enacted by chapter sixty-seven, of the Acts of one thousand eight hundred and eighty-two, "of insane persons."

[Passed February 24, 1887.]

Be it enacted by the Legislature of West Virginia :

Acts 1882  
amended.

1. That sections three and seven, of chapter fifty-eight, of the code of West Virginia, as amended and re-enacted by chapter sixty-seven, of the acts of one thousand eight hundred and eighty-two, be amended and re-enacted to read as follows :

Board of directors; to consist of nine members.  
Term of office present directors.  
Appointment new board, how and when.  
New directors; term of office; classified.

3. The board of directors shall be composed of nine members. The term of office of the present directors shall expire on the first day of April, one thousand eight hundred and eighty seven, and in the month of March, one thousand eight hundred and eighty-seven, the governor shall nominate and, by and with the advice and consent of the Senate, appoint nine directors for said hospital, but said directors shall be divided into three classes, equal in number. The terms of office of the directors so appointed in the month of March, one thousand eight hundred and eighty-seven, shall commence on the first day April, one thousand eight hundred and eighty-seven, and the terms of those in the first class shall be two years, those in the second class four years, and those in the third class six years.

In the month of March, one thousand eight hundred and eighty-nine, and every second year thereafter, the governor shall nominate and, by and with the advice and consent of the Senate, appoint three directors instead of the class whose terms expire in such year, and the terms of such three directors shall commence on the first day of April, in the year of their appointment, and continue six years.

The governor may, in like manner, fill any vacancy that may occur in the board, and any one appointed a director by him, during the recess of the Senate, shall be a director until the next session of the Senate thereafter. Not more than one director in each class shall be appointed from the county of Lewis, and not more than one director in the board shall be appointed from any other county, and not more than two directors in each class shall be of the same political party. Unless otherwise provided by law, a majority of the board shall constitute a quorum, but the board may, in its discretion, designate business of a nature by it to be specified, which may be transacted by a stated number of directors less than a quorum.

Vacancies; how filled.

How directors distributed as to counties and politics.

7. A superintendent and as many assistants as may be necessary, (who shall be physicians and graduates of reputable medical colleges) and other officers, shall be appointed by the board, and shall receive such compensation as the board may prescribe, and may be removed from office at the pleasure of the board. The board may also appoint an executive committee and may authorize the superintendent to employ as many nurses and attendants as may be necessary, and also discharge them, or any of them, and employ others, but the board shall fix their compensation. Any one or more of the directors, together with the superintendent, shall constitute an examining board, and may examine persons brought to the asylum as lunatics and order those found to be such to be received.

Quorum.

Superintendent and assistants.

How appointed; their compensation.

May be removed, how.

Executive committee.

Employment of miners, etc.

Examining board; who to constitute.

Its duties.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }  
March 3, 1857. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the

Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER XLIX.

AN ACT authorizing the Auditor to pay certain claims allowed and certified, by circuit courts, for keeping lunatics out of the jails.

[Passed February 24, 1887.]

Preambles.

WHEREAS, Section thirty-two, of chapter fifty-eight, of the code, providing for the maintenance and care of lunatics out of jail and making allowance therefor; and,

WHEREAS, Chapter one hundred and ninety-seven, of the acts, of one thousand eight hundred and eighty-two, repealed said section thirty two, of chapter fifty-eight, of the code; and,

WHEREAS, The circuit courts in several instances continued to make contracts with persons for the maintenance and care of lunatics out of the jail, and allow and certify accounts therefor; therefore,

Be it enacted by the Legislature of West Virginia :

Payment of claims for keeping lunatics out of jail provided for.

Sum appropriated.

1. That the auditor be, and is hereby authorized, to pay any and all claims allowed and certified by circuit courts, for the maintenance and care of lunatics out of jail, under contract with said circuit courts, prior to January first, one thousand eight hundred and eighty-seven. And the sum of two thousand dollars, or so much thereof as may be necessary, is hereby appropriated to pay said claims.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA,  
OFFICE OF SECRETARY OF STATE,  
March 3rd, 1887. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER L.

AN ACT to regulate the working, ventilation and drainage, of coal mines in this State, to provide for the appointment of mine inspectors, and to repeal chapter seventy, of the acts of one thousand eight hundred and eighty-three.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

1. For the purpose of adopting an efficient system of mine inspection, the State of West Virginia is hereby divided into two mining districts, as follows :

The counties of Barbour, Berkeley, Brooke, Calhoun, Doddridge, Gilmer, Grant, Hampshire, Hancock, Hardy, Harrison, Jackson, Jefferson, Lewis, Marion, Marshall, Mason, Mineral, Monongalia, Morgan, Ohio, Pendleton, Pleasants, Preston, Putnam, Randolph, Ritchie, Roane, Taylor, Tucker, Tyler, Upshur, Wetzel, Wirt and Wood shall compose the first district.

The counties of Boone, Braxton, Cabell, Clay, Fayette, Greenbrier, Kanawha, Lincoln, Logan, McDowell, Mercer, Monroe, Nicholas, Pocahontas, Raleigh, Summers, Wayne, Webster and Wyoming shall compose the second district.



Mine inspectors; how and when appointed.

Term of office.

Necessary qualifications.

Not to be interested as operator; etc.

Removal; for what causes.

Vacancies; how filled.

What oath inspector to take.

Certificate; when to be filed.

To give bond; penalty and condition of.

Salary and expenses.

When and how paid.

To file sworn account of expenses.

Duties of inspector.

2. The governor shall, on or before the first day of July, one thousand eight hundred and eighty-seven, and in every four years thereafter, appoint one inspector of mines for each of the districts created by the next preceding section, who shall, unless he be sooner removed, as hereinafter provided, continue in office until his successor is appointed and qualified.

Every person so appointed must be a citizen of West Virginia, of temperate habits, and of good repute as a man of personal integrity, and must possess a competent, practical and theoretical knowledge of mining and mine engineering, and properly ventilating and draining mines, and of the nature and constituent parts of the noxious gases and impure air of mines, and of the best methods of preventing and removing the same; and he shall not, while in office, be interested as owner, operator, agent, stockholder, superintendent or mining engineer of any coal mine.

An inspector of mines may be removed from office by the governor for incompetency, neglect of duty, drunkenness, malfeasance in office, or for other good cause. Vacancies in office of inspector shall be filled by appointment by the governor for the unexpired term.

3. Every person appointed inspector of mines shall, before entering on the discharge of the duties of his office, take an oath before some person authorized by law to administer oaths, that he will support the constitution of the United States and the constitution of the State of West Virginia; and that he will faithfully and impartially, and to the best of his ability, discharge the duties of his office, and file a certificate of his having done so in the office of the secretary of state, and he shall give a bond in the penalty of three thousand dollars, with sureties, to be approved by the governor, conditioned that he will faithfully and impartially discharge the duties of his office. The salary of each inspector shall be one thousand dollars per annum, and his traveling expenses, which shall not exceed seven hundred dollars per annum; such salary and expenses shall be paid quarterly, out of the State treasury. *Provided*, That before payment of traveling expenses shall be made to the inspector, he shall file an account of such expenses, and make oath that they were incurred in the discharge of his official duties.

4. Each inspector shall examine the mines of his district as often as practicable, to see that all the provisions of this act are observed and strictly carried out. He shall particularly examine into the condition of the

mines as to ventilation, drainage and general safety, and shall make a record of all such examinations.

Examinations as to ventilation, etc., of mines.

He shall also for each year, ending with the thirtieth day of June, make a report to the Governor, of his proceedings as such inspector, stating therein the number of mines in his district, the number of persons employed in each mine, the condition in which the mines were found, the extent to which this act is obeyed or violated; the number of accidents and deaths resulting from injuries received in or about the mines, with the cause of each of such accidents and deaths, and such other information in relation to mines and mining as he may deem of public interest. He shall also suggest or recommend such legislation on the subject of mining as he may think necessary. Such report shall be filed with the Governor on or before the thirteenth day of December, next succeeding the year for which it is made.

Annual report to governor.

What to show.

He shall also suggest or recommend such legislation on the subject of mining as he may think necessary. Such report shall be filed with the Governor on or before the thirteenth day of December, next succeeding the year for which it is made.

Suggestions as to necessary legislation.

Report to be filed; when.

5. The operator or agent of every coal mine shall, within six months after the passage of this act, make or cause to be made, an accurate map or plan of such mine, on a scale to be stated thereon, not exceeding one hundred feet to the inch. Such map or plan shall show the openings or excavations, the shafts, slopes, entries, air-ways, headings, rooms, pillars, etc., the general inclination of the coal strata, and so much of the property lines and of the outcrop of the coal seam of the tract of land on which said mine is located, as may be within one thousand feet of any part of the workings of such mine.

Operator to make map or plan of mine.

Such map or plan shall show the openings or excavations, the shafts, slopes, entries, air-ways, headings, rooms, pillars, etc., the general inclination of the coal strata, and so much of the property lines and of the outcrop of the coal seam of the tract of land on which said mine is located, as may be within one thousand feet of any part of the workings of such mine.

What must be shown by map or plan.

A true copy of such map or plan, shall, within the six months aforesaid, be delivered by such operator, to the inspector of his district, to be preserved among the records of his office and turned over to his successor in office; and the original map, or a true copy thereof, shall be kept by such operator, at the office of the mine, and open at all reasonable times for the examination and use of the inspector; and such operator shall twice within every twelve months, and not more than seven months apart while the mine is in operation, cause such mine to be surveyed and the map thereof extended so as to accurately show the progress of the workings, the property lines and outcrop as above provided; and he shall immediately thereafter deliver, to the inspector of his district, a map or plan and statement of the progress of the workings and extensions aforesaid, so as to enable the inspector to trace the same on the map or plan furnished him as above required.

Copy to be furnished inspector; when; how preserved by him.

Original, where kept.

Mine to be surveyed; when.

Map to show progress of workings in mines, &c.

Map to show progress of workings in mines, &c.

Map, etc., showing progress, to be delivered to inspector, immediately.

Map, etc., showing progress, to be delivered to inspector, immediately.

Before any mine or part of a mine is abandoned, or the pillars drawn therein, it shall be accurately surveyed, Survey and map of mine to be made

Survey and map of mine to be made

before abandonment.

and the maps thereof extended as aforesaid, and within one month after any mine is abandoned, the person who was the last operator thereof, shall file with the clerk of the county court of the county, in which the mine is located, a correct map, showing all the excavations of such mine, to be preserved as a part of the records of the county.

Map of abandoned mine to be filed, when.

Operator failing to make maps, etc., inspector to have it done at operator's expense. Expense, how recovered.

If any operator fail to comply with any provision of this section, the inspector is hereby authorized to have the survey and maps made or extended, as may be necessary in such case, at the expense of such operator, and the reasonable fees and expenses may be recovered in any court of competent jurisdiction, by the person performing the work.

Unlawful to employ miners to work in mines, except, etc.

6. After six months, from and after the passage of this act, it shall be unlawful for the operator, or agent, of any coal mine, to employ any persons at work in said mine, or permit any persons to be in said mine for the purpose of working therein, unless they are in communication with at least two openings or outlets, separated by natural strata, of not less than one hundred feet in breadth, if the mine be worked by shaft, and of not less than fifty feet in breadth, if worked by slope or drift. To each of said outlets there shall be provided, from the interior of the mine, a safe and available roadway, which shall at all times while the mine is in operation be kept free from all obstructions that might prevent travel thereon in case of an emergency, and if either of said outlets be by shaft, it shall be fitted with safe and available appliances, such as ladders, stairs, or hoisting machinery, which shall at all times, when the mine is in operation, be kept in order and ready for immediate use, whereby persons employed in the mine may readily escape in case of an accident.

When work'd by shaft.

By slope or drift.

Outlets to be provided with road ways; to be kept clear.

In shafts, appliances for escape to be provided.

Not to apply when not more than twenty men are worked.

This section shall not apply to any mine while work is being prosecuted with reasonable diligence in making communication between said outlets, so long as not more than twenty persons are employed at any one time in said mine; neither shall it apply to any mine, or part of a mine, in which the second outlet has been rendered unavailable by reason of the final robbing of pillars preparatory to abandonment, so long as not more than twenty persons are employed therein at any one time.

Nor where one outlet is robbed of pillars, etc.; when.

Appropriation of adjoining land when necessary for opening, etc.

7. In case a coal mine has but one opening, and the owner thereof does not own suitable surface ground for another opening, as required by the next preceding section, he may select and appropriate any adjoining land for that purpose and for approach thereto, and he shall be governed in his proceeding in appropriating such land,

Proceedings governed by general law.

by the laws in force providing for the appropriation of private property by corporations, and such appropriation may be made whether he is a corporator or not; but no lands shall be appropriated under the provisions of this act until the court is satisfied that suitable premises can not be obtained on reasonable terms.

Of what court to be satisfied.

8. The operator or agent of every coal mine worked by shaft shall forthwith provide, and hereafter maintain, a metal tube from the top to the bottom of such shaft, suitably adapted to the free passage of sound, through which conversation may be held between persons at the top and at the bottom of the shaft, also the ordinary means of signaling, and an approved safety catch and a sufficient cover overhead on every carriage used for lowering or hoisting persons, and at the top of the shaft an approved safety gate, and adequate brakes on the drum of every machine used to lower or hoist persons in such shaft; and the said operator or agent shall have the machinery used for lowering or hoisting persons into or out of the mine, kept in safe condition and inspected once in each twenty-four hours by some competent person.

Mine to be provided with metal tube for communication.

Means of signaling; safety catch, safety gate, etc.

Hoisting machinery; how inspected and kept.

9. No operator or agent of any coal mine, worked by shaft or slope, shall place in charge of any engine, used for lowering into or hoisting out of said mine persons employed therein, any but competent and sober engineers; and no engineer in charge of such machinery shall allow any person except such as may be deputed for that purpose, by the operator or agent to interfere with any part of the machinery; and no person shall interfere with or intimidate the engineer in the discharge of his duties; and in no case shall more than ten persons ride on any cage or car at one time, and no person shall ride on a loaded cage or car in any shaft or slope.

Only what persons to take charge of machinery.

Engineer not to be interfered with.

How many persons can ride on car.

No one to ride on loaded car.

All slopes or engine-planes, used as traveling-ways by persons in any mine, shall be made of sufficient width to permit persons to pass moving cars with safety, or refuge holes of ample dimensions, and not more than sixty feet apart, shall be made on one side of said slope or engine-plane. Such refuge-holes shall be kept free from obstructions, and the roof and sides thereof shall be made secure.

Width of slopes, &c.

Refuge holes; how far apart; how kept.

10. The operator or agent of every coal mine, whether worked by shaft, slope or drift, shall provide and hereafter maintain for every such mine, ample means of ventilation, affording not less than one hundred cubic feet of air per minute for each and every person em-

Means of ventilation to be provided.

To afford how much air.

employed in such mine, and as much more as the circumstances may require, which shall be circulated around the main-headings and cross headings and working places, to an extent that will dilute, render harmless and carry off the noxious and dangerous gases generated therein; and as the working places shall advance, break-throughs for air shall be made in the pillars, or brattices shall be used, so as to keep such working-places well and properly ventilated.

How air to be circulated.

When break-throughs to be made or brattices used.

Precaution to be taken in mines generating fire-damp.

"Fire boss," his duties as to examinations when gas exists.

To use safety-lamp.

Workmen not to enter such mine until examined and reported safe.

Dry coal dust in such mines not to accumulate; to be watered down.

Safety lamp; by whom furnished, and in whose charge kept; at least one to be kept at each mine.

"Mining boss" to be employed in each mine; qualifications of.

His duties.

To see to removal of slate, etc.

All mines generating fire-damp shall be kept free of standing gas in the worked out or abandoned parts of the same as far as practicable, and the entrances thereto shall be properly closed and cautionary notice posted to warn persons of danger, and the doors used therein for directing the ventilation shall be so hung as to close themselves, and every working-place and all other places where gas is known to exist or is liable to exist, shall be carefully examined by some competent person appointed for that purpose, to be known as "fire-boss," immediately before each shift, with a safety lamp, and in making such examinations it shall be the duty of the fire boss at each examination, to leave at the face of every place, so examined, evidence of his presence, and no workman shall enter or be permitted to enter, any mine or part of a mine, generating fire damp until it has been examined by the fire-boss as aforesaid and reported by him to be safe. In all mines generating fire-damp accumulations of fine, dry, coal dust shall as far as practicable be prevented, and such dust shall, whenever necessary; be kept properly watered down. The safety lamps used for examining any mine, or which may be used for working therein, shall be furnished by, and be the property of the operator of the mine, and shall be in charge of an agent thereof; and at least one safety lamp shall be kept at every coal mine whether such mine generates fire-damp or not.

11. In order to better secure the proper ventilation of every coal mine and promote the health and safety of persons employed therein, the operator or agent shall employ a competent and practical inside overseer, to be called "mining boss," who shall be a citizen and an experienced coal miner, or any person having two years' experience in a coal mine, and shall keep a careful watch over the ventilating apparatus and the air-ways, traveling ways, pumps and drainage; and shall see that as the miners advance their excavations, proper break-throughs are made as provided in section ten of this act, and that all loose coal, slate and rock overhead in the working-places, and along the haul-ways, be removed or carefully secured so as to prevent

danger to persons employed in such mine; and that sufficient props, caps and timbers are furnished of suitable size and cut square at both ends, and as near as practicable to the proper lengths for the places where they are to be used; and such props, caps and timbers shall be delivered and placed in the working-places of the miners, and every workman in want of props or timbers and cap-pieces, shall notify the mining boss or his assistant of the fact at least one day in advance, giving the length and number of props or timbers and cap-pieces required; but in case of an emergency the timbers may be ordered immediately upon the discovery of any danger; and the place and manner of leaving the orders for timbers shall be designated in the rules of the mine; and shall have all water drained or hauled out of the working places before the miners enter, and the working-places kept dry, as far as practicable, while the miners are at work. On all haul-ways, space not less than ten feet long and two feet six inches wide between the wagon and the rib. shall be kept open at distances not exceeding one hundred feet apart, in which shelter from passing wagons may be secured. It shall further be the duty of the mining-boss to have bore-holes kept not less than twelve feet in advance of the face, and, when necessary, on the sides, of the working-places that are being driven towards and in dangerous proximity to an abandoned mine or part of a mine suspected of containing inflammable gases or which is filled with water.

To see that props, timbers, &c., are furnished.

Where to be placed.

Workman to notify boss when timbers, &c., are wanted.

How in case of emergency.

Duty of boss as to drainage, etc.

Spaces on haul-ways; dimensions of and distance apart.

Bore holes; where kept.

The mining-boss or his assistant shall visit and examine every working-place in the mine at least once in every three days, and oftener when necessary, while the miners of such places are at work, and shall direct that each and every working-place shall be secured by props or timbers wherever necessary, so that safety in all respects be assured, and no person shall be directed to work in an unsafe place, unless it be for the purpose of making it safe. The mining-boss shall notify the operator or agent of the mine of his inability to comply with any requirements of this section; it shall then become the duty of such operator or agent at once to attend to the matter complained of by the mining-boss, to comply with the provisions hereof.

Mining boss or assistant to visit working places; how often; when.

Shall see that places are propped, etc. No person to work in unsafe place, except, &c.

Operator to be notified of inability of mining boss to comply, &c. Operator's duty when so notified.

12. The operator or agent of every coal mine shall furnish the inspector proper facilities for entering such mines, and making examinations or obtaining information; and if any inspector shall discover that any mine does not in its appliances, for the safety of the persons employed therein, conform to the provisions of this act, or that by reason of any defect or practice in or at such

Inspector to be furnished facilities for entering, &c., mines.

Duty of inspector when law is not complied with.

mine, the lives or health of persons employed therein, are endangered, he shall immediately, in writing, notify such operator or agent thereof, stating in such notice the particulars in which he considers such mine to be defective or dangerous, and if he deem it necessary for the protection of the lives or health of the persons employed in such mine, he shall, after giving notice to the said operator or agent, of his intention so to do, apply without bond, to the circuit court of the county in which said mine is located, or to the judge thereof in vacation, for an injunction to restrain the operating of said mine until said danger be removed; and such court or judge, when so applied to, shall at once proceed to hear the case and determine the same, and if the cause appear to be sufficient, and such danger appear to exist, after hearing the parties and their evidence he shall issue an injunction restraining the operating of said mine until the cause of such danger be removed, and the cost of the proceedings, including the charges of the attorney prosecuting the same, shall be borne by the operator of the mine, but no fee exceeding twenty-five dollars shall be taxed in any one case for the attorney prosecuting such case; but if said court or judge shall find the cause not sufficient, then the case shall be dismissed and the costs shall be paid by the county in which the mine is located.

To notify operator, what notice to state.

Operation of mine may be enjoined; when; how; by whom injunction applied for.

To whom application to be made.

Proceedings thereunder.

Injunction to be granted, when.

Costs; how paid.

Attorney's fee.

Costs, how paid when dismissed.

Boy under twelve, and female cannot work in mines.

13. No boy under twelve years of age, nor female person of any age, shall be permitted to work in any coal mine, and in all cases of doubt the parents or guardians of such boys shall furnish affidavits of their ages.

Injury of property, and acts endangering security, &c., of miners prohibited.

14. No miner, workman nor other person, shall knowingly injure any shaft, lamp, instrument, air course or brattice, or obstruct or throw open air-ways, or carry matches or open lights into places worked by safety lamps, or disturb any part of the machinery, or open a door used for directing the ventilation and not close it again, or enter any part of the mine against caution, or disobey any order given in carrying out the provisions of this act, or do any other act whereby the life or health of any person employed in the mine, or the security of the mine, is endangered. Nor shall any person or persons or combination of persons by force, threats, menace or intimidation of any kind, prevent or attempt to prevent from working in or about any mine, any person or persons who have the lawful right to work in or about the same and who desire so to work.

Persons having the right not to be prevented from working in mine.

15. Whenever by reason of any explosion or other accidents in any coal mine, or the machinery connected

therewith, loss of life or serious personal injury shall occur, it shall be the duty of the superintendent of the colliery, and in his absence the mining boss in charge of the mine, to give notice thereof forthwith, by mail or otherwise, to the inspector of the district, stating the particulars of such accident. And if any one is killed thereby, to the coroner of the county also, or in his absence or inability to act, to any justice of the peace; and the said inspector shall, if he deem it necessary from the facts reported, immediately go to the scene of such accident and make such suggestions and render such assistance as he may deem necessary for the future safety of the men; and investigate the cause of such explosion or accident, and make a record thereof, which he shall preserve with the other records of his office; and to enable him to make such investigation, he shall have the power to compel the attendance of witnesses, and to administer oaths or affirmations; and the costs of such investigation shall be paid by the county in which such accident occurred, in the same manner as the costs of coroner's inquests are now paid. If the coroner or justice shall determine to hold an inquest upon the body of any person killed, as aforesaid, he shall impanel a jury, no one of whom shall be directly or indirectly interested, and the inspector of mines, if present at such inquests, shall have the right to appear and testify and to offer any testimony that may be relevant, and to question and cross-question any witness, and the coroner or justice shall deliver to the inspector a copy of the testimony and verdict of the jury.

In case of certain accidents; who to be notified.

If any one killed, who to be notified.

Duty of inspector upon receiving such notice.

Record cause of accident; how preserved.

May compel attendance of witnesses, administer oaths, etc.

Costs of investigation, how paid.

When an inquest is held; proceedings.

Rights of inspector concerning inquests.

Copy of testimony and verdict delivered to inspector.

16. The operator or agent of every coal mine shall annually, during the month of July, mail or deliver to the inspector of his district a report for the preceding twelve months, ending with the thirtieth day of June. Such report shall state the names of the operator and officers of the mine, the quantity of coal mined, and such other information, not of a private nature, as may from time to time be required by the inspector. Blank forms for such reports shall be furnished by the inspector.

Annual reports to be made to inspector; what to state.

Forms for; by whom furnished.

17. The operator or agent of any coal mine who shall neglect or refuse to perform the duties required of him by any section of this act, or who shall violate any of the provisions hereof, and any person who shall neglect or refuse to perform the duties required of him by sections nine, ten, eleven, thirteen or fourteen, or who shall violate any of the provisions thereof, or knowingly do any act whereby the health or life of any person employed in a mine, or the security of a mine, is

Operator, etc., violating this act, how punished.



In default of  
payment of  
fine, how  
punished.

endangered, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than ten nor more than one hundred dollars. In default of payment of such fine and costs, for the space of ten days, the defendant may, in the discretion of the court, be imprisoned in the county jail for a period not exceeding three months.

To what  
mines this act  
to apply.

18. The provisions of this act shall apply only to coal mines in which ten or more persons are employed in a period of twenty-four hours.

Acts repeal'd.

19. Chapter seventy, of the acts of one thousand eight hundred and eighty three, and all other acts and parts of acts inconsistent with this act, are hereby repealed.

[Approved February 26, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER LI.

AN ACT to amend and re-enact sections six, seven, twenty and twenty-two, of chapter one hundred and eighty-two, of the Acts of one thousand eight hundred and seventy-two and three; also sections three, four, five, thirteen and twenty-one; as amended and re-enacted by chapter thirty-six, of Acts of one thousand eight hundred and eighty-one, entitled "An Act providing an alternate method of keeping in repair county roads."

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia:

Sections, 3, 4,  
5, 13 and 21,  
chapter 36,  
acts 1881,  
amended.

1. That sections six, seven, twenty and twenty-two, of chapter one hundred and eighty-two, of the Acts of one thousand eight hundred and seventy-two and three; also sections three, four, five, thirteen and twenty-one,

as amended and re-enacted by chapter thirty-six, of Acts of one thousand eight hundred and eighty-one, be amended and re-enacted, so as to read as follows :

3. Each magisterial district shall constitute a road precinct, and when a county shall have adopted the provisions of this act, an election shall be held at the next general election succeeding said adoption, at which one surveyor of roads for each road precinct, shall be elected, whose term of office shall commence on the first day of January next succeeding his election and expire in two years thereafter. Provided, That in any county in which this law is now in force, said officers shall be elected at the general election in one thousand eight hundred and eighty-eight, and every two years thereafter; and, provided further, that in any county that shall hereafter adopt the provisions of this act, the county court thereof shall appoint the officers mentioned in this section, whose term of office shall be until the next general election following their appointment. Vacancies in the office of surveyor shall be filled by appointment by the county court for the unexpired term.

What to constitute a road precinct.

Surveyor of roads to be elected; when; term of office.

In counties where this act is in force; when officers to be elected.

Provision as to counties heretofore adopting this act.

County court to appoint officer, until general election.

4. Each person so elected (or appointed to fill a vacancy) shall, within thirty days after his election or appointment, qualify by taking the oath prescribed by the fifth section of the fourth article of the Constitution of this State, and shall before entering upon the discharge of the duties of his office, give a bond with security to be approved by the county court in such sum as may be required, and shall be conditioned for the faithful performance of the duties of his office, and such bond shall be recorded as provided by section nineteen, of chapter ten, of the Code.

Surveyor to qualify, when.

Bond; am't, condition and approval.

How record'd.

5. It shall be the duty of each surveyor of roads, within thirty days from the first day of January next succeeding his election, to lay out and divide the county roads in his district into sections, not exceeding two miles in length, as hereinafter directed by the county court, which sections he shall number and describe in a book to be kept by him for that purpose, and he shall specify therein the nature and extent of the work he may deem necessary for improving and keeping in repair each section of said road. for such period of time as the contract shall run for keeping said section in repair, and for such purposes he may have the assistance of a competent engineer by making application therefor to the county court.

Surveyor to lay out and divide roads into precincts; when.

Length of sections. To be numbered and described.

To specify necessary work for improvement and repairs.

To have assistance of competent engineer.

6. It shall be the duty of each surveyor of roads to

Surveyor to expose for sale roads in each district.

When to commence and how long to continue.

Notice of such sales.

Purchaser of contracts at said sales to give bond, etc.

Surveyor to report to the county court amount required to construct and keep in repair roads in his precinct; when.

To accompany report with contracts.

Contract not valid until confirmed by court.

Entry of such approval.

If court disapprove contract, may order a re-sale of road, etc.

Levy of tax by court to keep in repair, etc., roads; when and how.

Amount of such levy limited.

expose all the county roads in his precinct, one section at a time, at public sale, for a period of not less than one nor more than three years, as the county court may direct, to the lowest and best bidder, commencing on the second Tuesday in March next succeeding his appointment, and continue as aforesaid until all the sections shall have been sold; of which sales at least fifteen days' notice shall be given by posting not less than ten hand bills in as many public places in his precinct.

7. Any person, or persons purchasing a contract or contracts at said sales, shall give bond with free hold security, to be approved by the surveyor of roads, in a sum to be fixed by said surveyor, conditioned to make or put such road or roads in repair on or before the first day of July in each year, and keep the same in repair until the expiration of the contract or contracts so purchased.

13. It shall be the duty of each surveyor of roads, as soon as practicable after the sale of said county roads, or of any road newly established, or changed, and annually thereafter, to ascertain and report in writing, as soon as ascertained, to the county court, the amount of money necessary to construct and keep in repair the county roads in his precinct for the term of one year, and he shall accompany said report with the contract entered into with each contractor under the provisions of this act, and no such contract shall take effect or be valid until it shall be approved and confirmed by the said court, which approval and confirmation shall be endorsed on each contract by the clerk of the said court, and an entry thereof be made in the proper record book of the county. The county court, if it disapprove for any reason any contract made or entered into by any road surveyor, may order a re-sale of the sections or road therein named, or take such other action as they may deem proper in reference thereto. The county court, at its first levy term thereafter, shall provide for the amount necessary to open, construct and keep in repair the county roads in said precinct, and any other expenses pertaining to the same, by levying a tax of one dollar on every male inhabitant over the age of twenty-one and under the age of fifty years residing in said district; and the balance necessary to open and keep in repair the roads in said precinct, after having deducted said capitation tax and having added the estimated delinquencies and cost of collection, shall be levied on the property of said precinct taxable for State and county purposes. *Provided*, That such levy shall not exceed five mills on each dollar of the valuation of

such property. A list of persons liable under said assessment, together with the amount with which each person is chargeable, shall be delivered to the sheriff of the county, and he shall collect the same in the manner as he collects other district taxes.

How collected.

20. Any surveyor of roads duly elected under the provisions of this act, and who has qualified as such, neglecting or refusing to discharge the duties of his office, shall be subject to such fines and penalties as are provided by law and to which any other district officer would in like manner be subjected.

Surveyor elected and qualified refusing to act; how punished.

21. The surveyor may change any county road in his precinct, with the consent of the owner of the land in which such change is proposed to be made, provided such change of location does not make a greater grade than five degrees, and may put the road on better ground for a road bed, and when any road location is altered, the former road shall be discontinued to the extent of said alteration and no farther, after the new road is established and built. When any person desires the establishment or alteration of a public road, bridge or landing, he shall notify the surveyor of his precinct, in writing, to go upon and examine the proposed location or alteration, and if the surveyor thinks the application for a survey of said proposed road necessary, he shall so report, to the county court, with the name of the applicant; and thereupon, the county court shall appoint three freeholders reviewers, and they, with the surveyor or any two of them, with the surveyor, may act and may view the ground, and locate the proposed road on a grade not exceeding five degrees, and report the advantages and disadvantages which in their opinion will result as well to individuals as to the public from the proposed work and all facts and circumstances that may be useful to enable the court to determine whether such work ought to be undertaken by the county, stating specially in either case whether it will be necessary to take any part of any improved farm, yard, garden, orchard or building, or other improvements, the cost of the proposed work and the damage to owners of real estate injured by the establishment of said road. The viewers may examine any other routes or location than that proposed and report in favor of the one they prefer, with their reasons for preferring it. The court at its discretion may require the county engineer to go upon and locate any road in the county, and he shall make a map of said location and return it with his report with any other information pertaining to said location, and the proba-

Surveyor may change road; when.

May put road on better ground, etc.

When old road discontinued and to what extent.

When persons desire to establish, etc., roads, etc., what proceedings necessary.

Surveyor to report to court.

Court to appoint viewers.

Report of viewers; what to contain.

Viewers may examine other routes.

Court may require county engineer to locate any road.

Duty of engineer in relation thereto.

His report; what to contain.  
 Viewer's report may be re-committed, etc.  
 Duty of surveyor as soon as elected.

Court may order engineer or surveyor to re-locate, alter, etc., road; or new road.

Report in such cases.

Action of court on report.

Providso.

This act after adoption may be discontinued, how.

General law then to apply.  
 Providso as to existing contracts.

ble cost of the proposed work. The report may be re-committed by the court with or without special instructions to the same or other viewers, with the surveyor and engineer or without the engineer, as the court may elect. It shall be the duty of each surveyor as soon as practicable after his election, to make examination of all the roads in his precinct, and ascertain any change in location made by parties living along said roads, or by the former surveyor, or by any other person without authority of law, and when such change has been to the injury of the road, he shall notify the owners (if they be found in the county) of the lands when such change has been made, and request them to allow the road to be placed back on the lawful location thereof. And should such owner or owners refuse to allow said road to be placed back upon its proper location, then the surveyor shall proceed against him or them, as the law directs in such cases to force compliance therewith. The county court shall have the power, at any time, to order the surveyor or of roads or the county engineer, or both, to go upon any road to re-locate, alter or change the same, or to locate a route for a new road, and the said surveyor or engineer, as the case may be, or both, shall make report of their proceedings to said court and the court may order the construction of the same or the performance of such work as may be necessary, if in its judgment the same would be of great public benefit. Provided, however, there be money sufficient in the road fund of the precinct where the work is to be done.

22. Any county having adopted the provisions of this act, and wishing thereafter to discontinue the same, may do so in the same manner as is provided in section two of this act for the adoption or rejection of said act, and if it shall determine at said election to discontinue the same, the general road law in force at that time shall be in force in said county. Provided, that no discontinuance shall take effect in any road precinct until the contracts therein for keeping said roads in repair shall have expired.

[Approved February 26, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER LII.

AN ACT to change the name of "The West Virginia Institution for the Deaf and Dumb and Blind" to that of "The West Virginia Schools for the Deaf and the Blind," and to amend and re-enact sections one and eleven, of chapter seventy-one, of the acts of one thousand eight hundred and seventy-one.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That sections one and eleven, of chapter seventy-one, of the acts of one thousand eight hundred and seventy-one, be amended and re-enacted so as to read as follows:

Sections 1 and 11, chapter 71, acts 1871, amended.

1. That the name of the West Virginia institution for the deaf and dumb and blind be and the same is hereby changed to that of "The West Virginia schools for the deaf and the blind."

Name changed to "West Virginia schools for the deaf and the blind."

The board of regents of the West Virginia schools for the deaf and the blind shall consist of seven members, not more than two of whom shall be appointed by the Governor from each congressional district, who shall constitute collectively a body corporate with powers to rent, purchase and convey real estate, and with all other powers necessary for the carrying on of the institution for the education of the deaf and the blind youth of West Virginia, established under the act passed March third, eighteen hundred and seventy, and to be known as "The board of regents of the West Virginia schools for the deaf and the blind."

Board of regents; how appointed.

Said board shall appoint one of their number as president, and in case of his absence a president *pro tem.*; shall also appoint a secretary, and all orders, drafts or requisitions for money from the State shall be signed by their secretary and countersigned by the president. Said board shall meet as hereinafter provided, and shall hold such other meetings as they may think necessary. Extra meetings may be called by the president or by any three members of the board by notifying the other members of the time and place of the meeting and of the nature of the business which renders an extra meeting necessary; any three members of said board shall constitute a quorum for the transaction of all ordinary business, but for the appointment to and removal from office of any of the officers and teachers of said institution, the concurrence of the majority of the members of said board shall be necessary.

Incorporation of Powers of board.

Name of.

President and secretary.

Duties as to orders, etc.

Meetings of board.

Extra meetings; how called.

Quorum.

For what concurrence of a majority required.

Assessors to register names of the deaf and blind, with certain other facts.

To forward report to auditor.

Auditor to forward abstract to principal of institution.

Principal's duties regarding same.

Compensation and liability of assessor.

11. In addition to their other duties the assessors of the State are hereby required to register in a book, to be furnished them by the auditor for the purpose, the name of all the deaf and the blind persons in their respective districts, with the degree and cause of deafness and blindness in each case as far as can be ascertained from the heads of families, or from other persons whom the assessors may conveniently consult their ages, the names of their parents or guardians, their postoffice address, and such other circumstances as may constitute useful statistical information in making the said institution promptly efficient in ameliorating the condition of the deaf and the blind by education. They shall complete the registration as early as possible, in the first annual assessment after the passage of this act, and shall forward their report directly to the auditor, who shall if practicable before the first day of July, or as soon thereafter as possible, make an alphabetical abstract of all the facts furnished him by the assessors reports, and shall send the same by mail to the principal of the West Virginia schools for the deaf and the blind, and said principal is hereby further required to put himself in immediate correspondence with all the deaf and blind persons, of suitable age and condition, mentioned in the auditor's abstract, with a view to their admission as pupils into the West Virginia schools for the deaf and the blind. The assessors shall receive for the extra duties hereby imposed the same compensation as is now allowed them for the registration of births and deaths, and shall be liable to the same penalties for failure to discharge these duties.

[Approved February 2, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER LIII.

AN ACT to amend and re-enact section six, of chapter fifteen, of the Acts of one thousand eight hundred and eighty-five, entitled "An Act relating to corporations, for the mutual relief and protection of their members insuring lives on the assesment plan."

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That section six, of chapter fifteen, of the acts of

one thousand eight hundred and eighty-five, be amended and re-enacted, so as to read as follows :

Section 6,  
chapter 15,  
acts 1885,  
amended.

6. It shall be the duty of the auditor to issue to every such corporation complying with the preceding sections, unless an examination thereof shows it to be in an unsound condition, a certificate thereof with authority to the corporation so complying to transact business in this State for the period of one year from the date of such certificate of authority : Provided. That authority shall not be issued to any corporation which grants certificates or policies whereby a benefit or payment is to become due upon the death of any person who, at the time of the execution of the contract, is over sixty-five years of age ; and, provided further, that no such certificate of the auditor shall be issued, renewed or allowed to remain in force, unless such corporation furnishes satisfactory evidence to the auditor that it is duly incorporated, and is authorized to do business in the State of its incorporation, that it is engaged in no other business than that authorized by this act and the laws appertaining thereto, that it is paying and is able to pay its certificates or policies in full, and that it contracts to pay benefits for no other causes than the death of the member, or at the end of a stipulated period of years during the life of the member, or his injury by external violent causes.

Corporations ;  
auditor to issue certificate to transact business ;  
when.

For what period.

Not to be issued to corporations insuring persons over 65 years old.

Nor to be issued or remain in force unless company shown to be duly incorporated, etc.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

#### CHAPTER LIV.

AN ACT to amend and re-enact section six, of chapter seventy-two, of the Code of West Virginia, as amended and re-enacted by chapter one hundred and forty, of the Acts of the Legislature of one thousand eight hundred and eighty two, relating to forms of deeds and covenants and to sales under deeds of trust.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That section six, of chapter seventy-two, of the



Chapter 140,  
acts 1882,  
amended.

code of West Virginia, as amended and re-enacted by chapter one hundred and forty, of the acts of one thousand eight hundred and eighty-two, be amended and re-enacted so as to read as follows :

Trustee to sell  
property con-  
veyed in deed  
when; how.

6. The trustee in any such deed shall, whenever required by any creditor secured, or any surety indemnified by the deed, or the personal representative of any such creditor or surety, after the debt due to such creditor or for which such surety may be liable, shall have become payable and default shall have been made in the payment thereof, or any part thereof, by the grantor, sell the property conveyed by the deed, or so much thereof as may be necessary, at public auction, upon such terms as are mentioned in said deed; and if no terms are therein mentioned, then upon the following terms, to-wit: If the property to be sold be real estate, one third of the purchase money cash in hand, one-third thereof, with interest, in one year, and the residue thereof, with interest, in two years from the day of sale, taking from the purchaser his notes, with good security, for the deferred payments, and retaining the legal title as further security; and if the property to be sold be personal estate, then for cash, having first given notice of such sale as hereinafter prescribed; and shall apply the proceeds of sale, first to the payment of expenses attending the execution of the trust, including a commission to the trustee of five per centum on the first three hundred dollars, and two per centum on the residue of the proceeds, then pro rata (or in the order of priority, if any, prescribed by the deed), to the payment of the debts secured and the indemnity of the sureties indemnified by the deed, and shall pay the surplus, if any, to the grantor, his heirs, personal representatives or assigns; provided, that no trustee shall receive any of the proceeds of such sale until he, if required by the grantor or any *cestui que trust*, give bond in a penalty equal at least to the full value of the property to be sold, with good security, before the clerk of the county court of the county where said property is, conditioned that he will faithfully perform his duty as such trustee and account for and pay over as required by law all money that may come into his hands in the execution of such trust. And no sale shall be made by such trustee, who is required to give bond, until such bond and security has been given and approved by the clerk, and every notice of such sale shall have appended to it the certificate of such clerk that bond and security has been given by the trustee as required by law. The grantor, or any *cestui que trust*, may at any time after the execution of the

On terms  
mentioned in  
deed.

What terms  
if none men-  
tioned in  
deed; if real  
estate.

If personal  
property.  
Trustee to  
give notice.  
Proceeds;  
how applied.  
Expenses in-  
cluding com-  
mission.

Debts.

Surplus; to  
whom paid.

Trustee may  
be required to  
give bond.

Condition of.

No sale to be  
made when  
bond is re-  
quired unless  
given and  
approved.

Notice of sale  
to have ap-  
pended, what.  
Bond may be  
required, how.

trust, by notice in writing, require any trustee to give such bond, and upon his failure to do so for ten days after such notice, the powers of such trustee shall cease, and another trustee may be appointed to execute the trust in the manner provided in chapter one hundred and thirty-two, section five, of the code. Every such bond shall be filed by said clerk in his office and recorded by him in the book in which the bonds of administrators are recorded. Every such notice of sale shall show the following particulars: 1. The time and place of sale; 2. The names of the parties to the deed under which it will be made; 3. The date of the deed; 4. The office and book in which it is recorded; 5. The quantity and description of the land or other property, or both, conveyed thereby; and 6. The terms of sale. And in all cases where a debtor conveys all his property to a trustee for the benefit of his creditors, or where he conveys all his property except what is exempt from execution or other process, every such trustee shall settle his accounts before a commissioner of accounts, of the county in which such bond is recorded, and the provisions of chapter eighty-seven, of the code of West Virginia, as amended shall apply to such settlement as far as applicable.

Effect of trustee failing for 10 days to give.

New trustee; how appointed.

Recordation of bond.

Notice of sale by trustee; what to contain.

In what case trustee to settle his accounts before commissioner.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER LV.

AN ACT providing for the submission of the proposed amendment of section forty six, of Article VI. of the Constitution of the State, to the voters thereof, for ratification or rejection.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia:

1. That the question of the ratification or rejection of the proposed amendment of section forty-six, of Article VI. of the Constitution of the State, contained in the joint resolution of the legislature, adopted on the seventeenth

Amendment to section 46, article 6, constitution;

when to be submitted for ratification or rejection.

day of February, one thousand eight hundred and eighty seven, shall be submitted to the voters of the State at the next general election to be held in the year one thousand eight hundred and eighty-eight.

Voting by ballot; ballots must contain what.

2. The voting upon said question shall be by ballot, and those voting for said amendment shall have written or printed on their ballots the words: "Prohibition—Constitutional Amendment, section forty-six, Article VI., for ratification;" and those voting against amendment shall have written or printed on their ballots, the words: "Prohibition—Constitutional Amendment, section forty-six, Article VI., for rejection;" but no ballot shall be rejected in ascertaining the result of said election at any place of voting, because all of the said words are not written or printed thereon, or because other and different words are written or printed thereon, if it sufficiently appear what the voter intended. The said election at each place of voting shall be superintended, conducted and returned, and the result thereof ascertained, by the same officers and in the same manner as the election of members of the legislature is superintended, conducted and returned and the result ascertained at said election, and all the provisions of the law relating to general elections, as far as applicable, shall apply to the election held under the provisions of this act, except where it is herein otherwise provided.

Ballots not to be rejected for what.

Election, how superintended, conducted, etc.; result, how ascertained.

What provisions of law to apply to; except, etc.

Result of election; when, how and by whom certified.

Form of certificate.

3. As soon as the result is ascertained, the commissioners, or a majority of them, and the canvassers (if there be any), or a majority of them, at each place of voting, shall make out and sign two certificates thereof, in the following form or to the following effect: "We, the undersigned, who acted as commissioners (or commissioner or canvasser, as the case may be,) of the election held at \_\_\_\_\_, in the district of \_\_\_\_\_, in the county of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and eighty-eight, upon the question of the ratification or rejection of the proposed constitutional amendment to section forty-six, of Article VI., do hereby certify that the result of said election is as follows: For ratification, \_\_\_\_\_ votes: For rejection, \_\_\_\_\_ votes. Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and eighty-eight." The said two certificates shall correspond with each other in all respects, and contain the full and true returns of said election at each place of voting on said question. The said commissioners, or one of them, or said conductor, shall within four days, excluding Sundays, after that on which said election was held, deliver one of said certificates to

Certificates must correspond.

What to contain.

Certificates delivered to whom; by whom; when.

the clerk of the county court and the other to the clerk of the circuit court of the county.

4. The said certificate shall be laid before the commissioners of the county court at the court house at the same time the ballots, poll books, and certificates of the election for members of the Legislature are laid before them; and as soon as the result of said election in the county upon the question of ratification or rejection is ascertained, two certificates of such result shall be made out and signed by said commissioners in the form or to the following effect: "We the undersigned commissioners of the county court of the county of \_\_\_\_\_ having carefully and impartially examined the returns of the election held in said county, in each district thereof, on the \_\_\_\_\_ day of \_\_\_\_\_ do hereby certify that the result of the election in said county on the question of ratification or rejection of the proposed amendment to section forty-six, of article six, of the constitution of the state, is as follows: For ratification — votes; for rejection — votes. Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and eighty-eight." One of which shall be filed in the office of the clerk of the county court, and the other forwarded by mail to the secretary of state who shall file and preserve the same, until the day on which the result of said election in the State is to be ascertained as hereinafter stated.

Certificates to be laid before whom; when; where.

Two certificates of result in each county to be made and signed; by whom.

Form of such certificate.

Certificates, how disposed of.

Duty of secretary of state as to one sent him.

5. On the twenty-fifth day after said election is held, or as soon thereafter as is practicable, the said certificates shall be laid before the governor, whose duty it shall be to ascertain therefrom the result of said election in the State, and declare the same by proclamation published in some one or more newspapers printed at the seat of government. If a majority of the votes cast at said election be for ratification, the said proposed amendment shall be of force and effect from the time of such ratification, and be part and parcel of the constitution of the State in the place of section forty-six, of article six, as it now stands.

Certificate, to be laid before governor; when.

His duty in ascertaining and declaring result.

Majority vote ratifies.

When to take effect.

6. The Governor shall cause the said amendment to be published in every weekly newspaper published in the State, which will publish the same at one-third the rates prescribed by law for legal advertising, for three months before the said election. If no newspaper will publish the said proposed amendment at said one-third rate, it shall be the duty of the Governor to cause the same to be published in some newspaper in every county in the State, in which a newspaper is printed, for

Duty of governor as to publication of amendment.

Compensation to be paid for publication.

If no newspaper will publish at such rate, to be how published, and at what rate.

Expenses of;  
how paid.

at least three months before the said election, on such terms as may be agreed upon, not to exceed the rates prescribed by law for legal advertising. The expenses of said advertising shall be paid out of the contingent fund.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER LVI.

AN ACT to amend and re-enact section twenty-two, of chapter one hundred and thirty-seven, of the code of West Virginia, as amended and re-enacted by chapter one hundred and twenty-nine, of the acts of one thousand eight hundred and eighty-two.

[Passed February 25, 1887 ]

Be it enacted by the Legislature of West Virginia :

Chapter 129,  
acts 1882,  
amended.

1. That section twenty-two, of chapter one hundred and thirty-seven, of the code of West Virginia, as revised, amended and re-enacted, by chapter one hundred and twenty-nine, of the acts of one thousand eight hundred and eighty-two, be amended and re enacted so as to read as follows :

Fees of jailor.

23. For receiving a person in jail, twenty-five cents, and the like sum for discharging him therefrom.

For keeping and supporting a person confined in jail, for each day, in the discretion of the court, a sum not less than thirty-five cents nor more than fifty cents.

To be allowed  
fuel for jail.

Upon the affidavit of the jailor the county court shall allow him, out of the county treasury, the amount actually paid for fuel necessary in heating the jail.

Allowance to  
jailor for ser-  
vices as Jani-  
tor.

For attendance upon the circuit and county courts, and acting as janitor of the court house, he shall be allowed not exceeding one hundred and fifty dollars per annum, to be ascertained and fixed by the county court and paid out of the county treasury.

In cases of felony, the fees of the jailor shall be paid out of the State treasury. In cases of misdemeanor they shall be paid out of the county treasury, and in civil cases by the party at whose instance a person is committed to jail. Fees paid how.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER LVII.

AN ACT to amend and re-enact section five, of chapter five, of the code of West Virginia, concerning offenses relating to elections, as revived, amended and re enacted, by chapter one hundred and thirty-nine, of the acts of one thousand eight hundred and eighty-two, and to add to said chapter of the code sections thirteen, fourteen, fifteen and sixteen.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That section five, of chapter five, of the code of West Virginia, as revived, amended and re-enacted, by chapter one hundred and thirty-nine, of the acts of one thousand eight hundred and eighty-two, be amended and re-enacted so as to read as follows : Certain sections of chapter 139, acts 1882, amend'd.

*Voting Twice—Procuring Bad Votes to be Admitted, or Good Ones Rejected, etc.*

5. If any person knowingly vote when not legally entitled; or vote more than once in the same election; or knowingly vote or attempt to vote more than one ballot for the same office, or on the same question; or procure or assist in procuring a bad vote to be admitted or received at an election, knowing the same to be bad; or a good vote to be rejected, knowing the same to be good; or with intent to deceive any voter, furnish him Illegal voting prohibited. Procuring bad votes to be admitted or good votes rejected.

Deceiving voter as to ballot.

Altering, etc., ballots.

To be punished; how.

Unlawful to print or circulate ballots similar in appearance to, but containing other names than ballots issued by political parties.

Unlawful to paste or place name of other person on such ballot, unless printed in red ink.

Unlawful to print or circulate such ballot omitting any name, unless blank space shall be left and office left printed above.

Punishment for violation.

a ballot, and inform him, or in any manner give such voter to understand, that it contains a name written or printed thereon different from the name which is written or printed thereon; or with like intent, alter the ballot of such voter by marking out the name of any person for whom such voter desires to vote; or with like intent, write the name of any person on such ballot other than those directed by the voter; or with like intent, make any alteration thereof, whether such ballot be voted or not; or defraud any voter at any election, by deceiving and causing him to vote for a different person for any office than he intended or desired to vote for, he shall be punished as hereinafter provided.

And when any political party shall by convention or primary election nominate the full number of persons to be voted for at the ensuing election, for State or county officers or for representatives in the congress of the United States, and shall print and circulate, or cause to be printed and circulated, ballots to be used in voting at such election, containing all the names of the persons so nominated, printed in Roman letters and with black ink, with a heading showing the name of such political party, it shall be unlawful for any person to print or circulate, or to furnish to any voter or other person, to be used in voting at such election, any printed ballot with the same heading and similar in appearance of, and to, the ballot printed as aforesaid, containing the names of such nominees; with any name or names printed thereon other than those so nominated as aforesaid. It shall also be unlawful for any person to paste or place the printed name of any person, other than that of one of the nominees of such convention, on or upon such ballot so printed as aforesaid, unless the name so pasted or placed thereon be printed in red ink.

And it shall also be unlawful for any person to print or circulate, or cause to be printed or circulated, any ballot purporting to be such ballot as is hereinbefore mentioned, and purporting to contain the names of the persons so nominated as aforesaid, but omitting therefrom the names of any one or more of such nominees, unless a blank space be left on such ballot of at least one-third of an inch in width, and extending across the said ballot from one side to the other, for the name of every such nominee omitted therefrom, and unless the name of the office for which each nominee omitted is a candidate be printed above such blank space. Any person who shall knowingly violate any of the provisions of this section shall be guilty of a misdemeanor, and for each offense be fined not less than twenty nor more one hundred dollars, and may, at the discretion of the

court, be confined in the county jail not less than one nor more than six months.

2. And that the following additional sections be added to said chapter of the code: Sections added.

13. No person shall, on the day of election, within sixty feet of the voting place, request another person to exhibit or disclose the contents of any ticket or ballot which such other person intends to use in voting. To request a person to exhibit, etc., ballot within 60 feet of voting place, unlawful.

14. Any person who, on the day of election, having inspected the ballot of a voter, or having furnished a voter with a ballot, accompanies such voter within sixty feet of the voting place whilst such voter is on his way to the polls for the purpose of voting, shall be guilty of a misdemeanor; or any person, acting in conjunction with another who has, on the day of election, inspected the ballot of a voter, or furnished a voter with a ballot, who accompanies such voter within sixty feet of the voting place whilst such voter is on his way to the polls for the purpose of voting, or any person who shall call a voter back after such voter has approached within sixty feet of any voting place for the purpose of casting a vote, and shall inspect or change the ballot of such voter, or shall give or offer to give such voter another or different ballot, shall be guilty of a misdemeanor. Unlawful for person having inspected ballot, to accompany voter within 60 feet of voting place.  
Or for person acting in conjunction with person inspecting ballot to do so.  
Or to call voter back and inspect, etc., his ballot.  
Of what deemed guilty.

15. No ticket or ballot shall, on the day of election, be given or delivered to, or received by, any person within sixty feet of the voting place, except he be one of the commissioners of election, who shall receive the same only at the ballot box, and in his official capacity. No ballot to be given or received within 60 feet of voting place, except, etc.

16. Any person violating the provisions of this act, unless a different punishment for such violation is prescribed, shall be punished by fine of not less than twenty-five dollars and not exceeding five hundred dollars; and, at the discretion of the court, by imprisonment in the county jail not less than ten days, and not more than ninety days. Violations of this act, how punished.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.



## CHAPTER LVIII.

AN ACT to amend an re-enact section ten, of the Acts of one thousand eight hundred and seventy-seven, amending chapter one hundred and sixty-three, of the Code of West Virginia :

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

Section 10,  
chapter 35,  
acts 1877.

1. That section ten, of the acts of one thousand eight hundred and seventy-seven, amending chapter one hundred and sixty-three, of the code of West Virginia, be amended and re-enacted so as to read as follows :

Convict la-  
bor; contract  
for.

Bond of bid-  
der.

Blank form of  
bond and con-  
tract, where  
deposited,  
when and for  
what.  
Direct'rs may,  
by consent,  
alter contract.

10. When a bid is accepted and labor awarded to a bidder, the directors, on the part of the State, and the bidder shall enter into a contract in pursuance of the bid, and such bidder shall produce a bond, to be executed to the satisfaction of the board, conditioned for the faithful performance of such contract on his part, a blank form of which contract and bond shall be deposited and remain with the clerk for inspection during the time of the advertisement; and said directors may alter or modify or discontinue, with the consent of the other contracting party, any contract made by them for the hiring or letting of convicts, under this chapter.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

## CHAPTER LIX.

AN ACT to amend and re-enact section thirty-four, of chapter fifty, of the code of West Virginia.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

Code, section  
34, chapter 50,  
amended.

1. That section thirty-four, of chapter fifty, of the code of West Virginia, be amended and re-enacted so as to read as follows :

34. Unless otherwise specially provided such process or order, and any notice against a corporation, may be served upon the president, cashier, treasurer or chief officer thereof, or if there be no such officer, or if he be absent, on any officer, director, trustee or agent of the corporation at its principal office or place of business, or in any county in which a director or other officer, or any agent, of said corporation may reside. But service at any time may be made upon any corporation in the manner prescribed for similar proceedings in the circuit court.

Mode or service of process, etc., on corporations, when proceedings are before a justice.

May be as prescribed for circuit courts.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER LX.

AN ACT providing for the submission of the proposed amendment of section twenty-two, of Article six, of the Constitution of the State, to the voters thereof, for ratification or rejection.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That the question of the ratification or rejection of the proposed amendment of section twenty-two, of article six, of the Constitution of the State, contained in the joint resolution of the legislature, adopted on the twenty-fourth day of February, one thousand eight hundred and eighty-seven, shall be submitted to the voters of the State at the next general election to be held in the year one thousand eight hundred and eighty-eight.

Amendment to section 22, article 6, constitution.

Submission of, to voters provided for.

2. The voting upon said question shall be by ballot, and those voting for said amendment shall have written or printed on their ballots the words, "Constitutional Amendment, section twenty-two, article six, for ratification;" and those voting against said amendment shall have written or printed on their ballots the

Voting: by ballot.

Ballots: what to contain.

Ballot not to be rejected for what.

words, "Constitutional Amendment, section twenty-two; article six, for rejection;" but no ballots shall be rejected in ascertaining the result of said election, at any place of voting, because all of the said words are not written or printed thereon, if it sufficiently appear what the voter intended.

Election, how superintended, conducted, etc.

The said election at each place of voting shall be superintended, conducted and returned, and the result thereof ascertained, by the same officers and in the same manner as the election of members of the legislature is superintended, conducted and returned and the result ascertained at said election, and all the provisions of the law relating to general elections as far as applicable shall apply to the election held under the provisions of this act, except where it is herein otherwise provided.

What law to govern, except; etc.

Result of election; how and by whom certified.

3. When the result of said election at every place of voting is ascertained, as aforesaid, the commissioners and canvassers, if there be any, or any two of them, shall sign two certificates of the result thereof to the following effect: "We, the undersigned, who acted as commissioners (or commissioner or canvasser, as the case may be), of the election held at \_\_\_\_\_, in the district of \_\_\_\_\_, in the county of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and eighty-eight, upon the question of the ratification or rejection of the proposed constitutional amendment to section twenty-two, of Article VI., do hereby certify that the result of said election is as follows: For ratification, \_\_\_\_\_ votes; for rejection, \_\_\_\_\_ votes. Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and eighty-eight."

Form of certificate.

Certificates must correspond.

What to contain.

When, by whom and to whom delivered.

The said two certificates shall correspond with each other in all respects, and contain the full and true returns of said election at each place of voting on said question. The said commissioners, or one of them, or said conductor, shall within four days, excluding Sundays, after that on which said election was held, deliver one of said certificates to the clerk of the county court and the other to the clerk of the circuit court of the county.

Before whom certificates to be laid; when.

4. The said certificates shall be laid before the commissioners of the county court, at the court house, at the same time the ballots, poll books and certificates of the election for members of the legislature are laid before them; and as soon as the result of said election in the county upon the question of ratification or rejection is ascertained, two certificates of such result shall be made out and signed by said commissioners in the form or to the following effect: "We, the undersigned, commissioners of the county court of the county of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, do hereby certify that the result of said election in said county, on the question

Two certificates of result in each county to be made; by whom.

Form of certificate.

of ratification or rejection of the proposed amendment to section twenty-two, of Article VI. of the Constitution of the State, is as follows: For ratification, — votes; for rejection, — votes. Given under our hands this — day of —, one thousand eight hundred and eighty-eight.” One of which shall be filed in the office of the clerk of the county court, and the other forwarded by mail to the secretary of state who shall file and preserve the same, until the day on which the result of said election in the State is to be ascertained as hereinafter stated.

How such certificates disposed of.

Duty of secretary of state as to one sent him.

5. On the twenty fifth day after said election is held, or as soon thereafter as is practicable, the said certificates shall be laid before the governor, whose duty it shall be to ascertain therefrom the result of said election in the State, and declare the same by proclamation published in some one or more newspapers printed at the seat of government. If a majority of the votes cast at said election be for ratification, the said proposed amendment shall be of force and effect from the time of such ratification, and be part and parcel of the constitution of the state in the place of section twenty-two, of article six, as it now stands.

Certificates laid before governor; when; his duty in ascertaining and declaring result.

Majority vote ratifies.

To take effect when.

6. The Governor shall cause the said amendment to be published, in any newspaper in any county, which will publish the same at one-third the rates prescribed by law for legal advertising, for three months before the said election. If no newspaper will publish the said proposed amendment at said one third rate, it shall be the duty of the Governor to cause the same to be published in some newspaper in every county in the State, in which a newspaper is printed, for at least three months before the said election. The expenses of said advertising shall be paid out of the contingent fund.

Publication of amendment; duty of governor as to.

How if newspaper will not publish at proposed rate.

Expenses of publication; how paid.

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER LXI.

AN ACT to amend and re-enact section three, of chapter one hundred and sixty-one, of the code of West Virginia.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That section three, of chapter one hundred and

Code, section 3, chapter 161, amended. sixty-one, of the code of West Virginia, be amended and re-enacted so as to read as follows:

**Physicians to attend persons in jails; by whom appointed. To furnish all medicines, etc.** 3. The county court for every county may appoint a physician to attend all persons confined in jail as lunatics, or persons charged with felony or misdemeanor, and such physician shall furnish all medicines and drugs for, and give proper attention to, all such persons at a stipulated, fixed and exclusive annual allowance. The appointment of such physician shall be made in open court. The court, or president thereof in vacation, shall cause notice to be given in some newspaper published in the county, and by posting at the front door of the court house, or, if no such paper be published, by posting as aforesaid alone, of the days during court, when sealed bids will be received. The bids shall be opened only in court, on the day specified in the notice, if the court then be in session, and, if not, on the first day of the session thereafter, and the appointment awarded to the lowest responsible bidder; and such court shall have the right to reject any or all bids. The person receiving the appointment shall give bond with sufficient surety, to be approved by the court, for the faithful performance of the trust and agreement. The court shall have power to vacate the appointment for failure or neglect of duty; but such vacation shall in no manner affect the liability on the bond. All of the proceedings shall be entered in the order-book of the court. The county court may also, after examination, when a person in its jail charged with or convicted of an offense, is unable to provide himself with sufficient clothing, direct the jailor to provide him clothing, and allow therefor not exceeding twenty dollars in one year. Allowances under this section, on being certified by the court, shall be paid out of the treasury of the State, except in cases of persons charged with or convicted of misdemeanors, which shall be paid out of the county treasury.

**Manner of appointment. Notice to be published; how.**

**Sealed bids to be received. Bids opened when.**

**Lowest bidder to be appointed.**

**Bond and security.**

**Court power of vacation.**

**Record of proceedings. Court to provide prisoners clothing; when; limit of cost.**

**Allowances; how paid.**

[Approved February 28, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER LXII.

AN ACT to provide for the collection of a tax on goods sold by auction or otherwise, on which no assessment has been made as required by law.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That any person or persons offering for sale, or furnishing for sale by auction, any goods or merchandise, not assessed for the purpose of taxation in any county in this State, as provided for by section sixty-five, of chapter twenty nine, of the code of West Virginia, shall be required to obtain a permit from the clerk of the county court of said county before offering the said goods for sale at auction or otherwise; for which permit the sum of two dollars on each one hundred dollars, valuation of said goods, shall be assessed. Said permit to be handed to the sheriff for collection, and the same charged to him by the clerk.

Permit to be obtained for sale of certain goods at auction; from whom.

What to be paid for permit.

Turned over and charged to a sheriff.

2. Any person or persons offering any goods or merchandise for sale, in any county in this State, not assessed for the purpose of taxation in said county as provided for by section sixty-five, of chapter twenty nine, of the code of West Virginia, shall be required to have the same assessed by the assessor of said county, and the said assessment shall be the same as other assessments in said county.

Unassessed goods offered for sale, how assessed.

3. In case any person shall refuse or neglect to obtain the permit as aforesaid, or have said goods or merchandise assessed as herein required, he shall be liable in the first instance to double the license required in the first section, and in the second instance, the assessor shall add as penalty, for said failure, one hundred per cent. to the taxes assessed as heretofore.

Penalty for refusal to obtain permit.

First offense.

Second offense.

4. Such license or tax shall be collected as other licenses or taxes are, and the sheriff shall forthwith collect the said license or tax, and any sheriff, in whose hands said license or tax shall be placed for collection, should he fail to collect the same, he shall be liable to the county.

License or tax, how and by whom collected.

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

### CHAPTER LXIII.

AN ACT to secure to operatives and laborers engaged in and about mines, manufactories of iron and steel, and all other manufactories, the payment of their wages at regular intervals, and in lawful money of the United States.

[Passed February 25, 1887]

Be it enacted by the Legislature of West Virginia :

Mining firms, corporations, etc., shall pay employes as prescribed.

1. That all persons, firms, corporations, or associations in this State, engaged in mining coal, ore or other minerals, or mining and manufacturing them, or either of them, or manufacturing iron or steel, or both, or any other kind of manufacturing, shall pay their employes as provided in this act.

To settle every two weeks, except etc.

2. All persons, firms, companies, corporations, or associations, engaged in the business aforesaid, shall settle with their employes at least once in every two weeks, unless otherwise provided by special agreement, and pay them the amount due them for their work or services in lawful money of the United States, or by the cash order as described and required in the next succeeding section of this act. *Provided*, That nothing herein contained shall affect the right of an employe to assign the whole or any part of his claim against his employer.

Payment to be made in money or cash order.

Right of assignment not affected.

To issue in payment of labor only what kind of order, etc.

3. That it shall not be lawful for any person, firm, company, corporation, or association, engaged in the business aforesaid, their clerk, agent, officer or servant, in this State, to issue for the payment of labor, any order or other paper whatsoever, unless the same purports to be redeemable for its face value, in lawful money of the United States, bearing interest at the legal rate, made payable to employe or bearer and redeemable

within a period of thirty days by the person, firm, company, corporation or association, giving, making or issuing the same. And any person, firm, company, corporation or association, engaged in the business aforesaid, their clerk, agent, officer or servant, who shall issue for payment of labor any paper or order other than the one herein specified in violation hereof, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty-five dollars nor exceeding one hundred dollars, in the discretion of the court.

Issuing of other order, etc. how punished.

4. That from and after the passage of this act it shall be unlawful for any person, firm, company, corporation, or association engaged in mining or manufacturing, either or both as aforesaid, and who shall likewise be interested directly or indirectly in merchandising as owner or otherwise in any money, per cent. profit or commission arising from the sale of any such merchandise, their clerks, servants, officers or agents, to knowingly and wilfully sell or cause to be sold to any employe, any goods, merchandise or supplies whatsoever, for a greater per cent. of profit than merchandise and supplies of like character, kind, quality and quantity are so sold to other customers buying for cash, and not employed by them; and shall any person or member of any firm, company, corporation or association, his or their clerk, agent or servant, violate this section then and in that case such person, firm, company, corporation or association shall collect for such merchandise and supplies only the price for which like merchandise and supplies are sold by them to such other customers as aforesaid buying for cash; and moreover shall be guilty of a misdemeanor, and on conviction thereof shall be fined not exceeding one hundred dollars nor less than twenty-five dollars.

Unlawful to sell to employes, goods at greater profit than to other persons paying cash.

Violation a misdemeanor.

How punished.

5. That if any firm, company, corporation, or association shall refuse for the space of twenty days to settle and pay any of their said employes at the intervals of time as provided in section two, of this act; or shall neglect or refuse to redeem any cash orders herein provided for, within the time specified, if presented, and suit should be brought for the amount overdue and unpaid, judgment for the amount of said claim proven to be due and unpaid, with legal interest thereon until paid, shall be rendered in favor of the plaintiff in such action. Provided further, that the cash order herein provided for, given for payment of labor, if the laborer continues to hold the same, in case of the insolvency of the company or person or firm, or corporation, giving

When suit is brought for failure to settle or redeem order, what judgment to be rendered.

Employe not to lose his lien by reason of acceptance of cash order.



same, such laborer shall not lose his lien and preference under existing laws.

[Approved March 2, 1887]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER LXIV.

AN ACT to amend and re-enact sections five, six, ten and fourteen, of an act amending and re enacting chapter one hundred and fifty, of the code of West Virginia, concerning the public health, passed March fifteenth, one thousand eight hundred and eighty-two, and by adding sections twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight and twenty-nine.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

Certain sections of chapter 93, acts 1882, amend'd.  
Sections added.

1. That sections five, six, ten and fourteen, of chapter one hundred and fifty, of the code of West Virginia, be amended and re-enacted, and sections twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight and twenty-nine added, so as to read as follows :

Board of health; duties of.

5. The board of health shall take cognizance of the interests of the life and health of the inhabitants of the State, and shall make and cause to be made sanitary investigation and inquiries respecting the causes of diseases, especially of endemics, epidemics, and the means of prevention, the sources of mortality and the effects of localities, employments, habits, and circumstances of life on the public health. They shall also investigate the causes of diseases occurring among the stock or domestic animals in the State; the methods of remedying the same, and shall gather information in respect to these matters, and kindred subjects, for dif-

To make sanitary investigations as to causes of mortality, etc.

Diseases among animals; investigate as to causes of, etc.

fusion among the people. They shall also examine into and devise as to the water supply, drainage and sewerage of cities, towns and villages; the ventilation and warming of public halls, churches, school houses, workshops and prisons; the ventilation of coal mines, and how to treat promptly accidents resulting from poisonous gases; when they believe that there is a probability that any infectious or contagious disease will invade this State from any other State it shall be their duty to take such action, and to adopt and enforce such rules as they may, in the exercise of their discretion, deem efficient in preventing the introduction and spread of such disease or diseases. To better accomplish such objects, the board are empowered to establish and strictly maintain quarantine at such places as they may deem proper, and may adopt rules and regulations to obstruct and prevent the introduction or spread of contagious or infectious diseases to, or within, the State. They may enforce inspection of persons and articles of baggage, or other goods of whatever character, as well as the purification of the same; and companies or individuals operating or controlling railroads, passenger coaches, public conveyances, and steamers plying the Ohio river or its tributaries in this State, shall obey the rules and regulations when made and published by the board in some newspaper printed at or near the place where the danger is; and any owner or person having charge of such railway trains, passenger coach or steamboat, or public or private conveyance, who shall refuse to obey such rules and regulations, when so made and published, shall be guilty of a misdemeanor, and for each offense shall be fined not less than fifty nor more than five hundred dollars, and be confined in the county jail not less than fifteen days nor more than two months, at the discretion of the court. The provisions of this section shall apply to the establishing and enforcing quarantine against the introduction into the State from another State, or the transporting from one county to another county in the State, of any cattle, hogs, horses or sheep suffering with an infectious disease. It shall be the duty of the local board, upon request, to inspect any cattle, hogs or sheep about to be slaughtered for domestic consumption or for shipment.

To examine as to drainage, etc., of cities, etc.; ventilation, etc., public halls, etc.; also mines.

Precautions to be taken against contagious diseases.

Powers as to quarantine.

Inspection of persons, baggage, etc.

Steamboat and railroad companies to obey regulations of board.

Penalty for failure to obey.

Quarantine to extend to introduction of stock.

Local board to inspect stock; when.

6. It shall be the duty of the county court to nominate and the state board of health to appoint, in each of the counties of the State, three intelligent and discreet persons residing therein, two of whom shall be citizens, and one a physician qualified to practice medicine under the provisions of this chapter, and the per-

Local boards; how appointed and of whom constituted.

sons so appointed shall, with the president of the county court and the prosecuting attorney for the county, constitute a local board for the county of their residence, and they shall hold their office for two years and until their successors are appointed, unless sooner removed from office by the state board of health. The physician of the local board shall be the executive officer of the board and the health officer of the county; and he shall out of the treasury of the county, receive a yearly salary, to be fixed by the county court, and the other members of the local board shall be paid their expenses when actually employed; vacancies in said local board shall be filled by the state board for the unexpired terms upon the nomination of the county court. The said local board of health shall make and establish for their county, or for any district, or place therein, such sanitary regulations or rules as they may deem necessary and proper to prevent the outbreak and spread of cholera, small-pox, scarlet fever, diphtheria and other endemic or epidemic, infectious and contagious diseases, and they, or any of them, may, except in the night time, in the performance of the duties imposed upon them, enter into or upon any house or premises and inspect the same, whenever they have reason to believe that such house or premises is in an unclean or infectious condition; and if any house or premises so inspected is found in such condition as aforesaid, said local board shall direct and require the person in charge of, or occupying the same, if of sufficient means, to cleanse and purify the same, according to the sanitary rules and regulations made by said board as aforesaid; and if any such person shall fail or refuse to comply with and obey the said directions, and requirements of said board, he shall be guilty of a misdemeanor and fined not less than ten nor more than one hundred dollars. Such local board shall enforce within their county all the lawful rules and regulations of the state board of health applicable to such county. It shall be the duty of every practicing physician, in any county in which there is such local board of health, to report promptly all or any diseases of the above named character under treatment by him, and said local board shall once, at least in every three months, report to the state board of health the character of all such infectious, contagious, endemic and epidemic diseases; the number of persons reported as infected with said diseases; naming the same; the action taken by the local board to arrest the progress of every such disease, and the visible effects, if any, of such action. When any town, city or village has a board of health of its own, the jurisdiction of the local board so appointed shall

**Term of office; how removed.**

**Physician of the local board; to be what.**  
**His salary.**

**Other members to be paid their expenses.**  
**Vacancies in local board; how filled.**  
**Sanitary regulations for each county.**

**Board of member of, may inspect premises; when.**

**May direct such, when necessary, to be purified, etc.**

**Person refusing; guilty of misdemeanor.**

**Punishment.**

**Regulations of state board to be enforced.**  
**Physicians to report cases of epidemic diseases, etc., to local board.**  
**Local to report to state board; when.**

**Report to contain what.**

**Provision as to city, etc., boards of health.**

not extend thereto, but said city, town or village board of health shall be auxilliary to and act in harmony with, the state board of health.

10. Every person holding any such certificate, as is hereinbefore provided for, shall have the same recorded in the office of the secretary of the state board of health, in a book to be kept by him for that purpose, and the secretary shall endorse on said certificate the fact of such recordation, and deliver the same to the person named therein or to his order. The state board of health may refuse certificates to individuals guilty of malpractice or dishonorable conduct, and they may revoke certificates for like causes. Such revocation being after due notice and trial by the board of health, with right of appeal to the circuit court of the county in which such individual resides; but no such refusal or revocation shall be had or made by reason of the individual belonging to or practicing in any particular school or system of medicine.

Certificate; where recorded.

Fact of recordation to be endorsed on certificate.

Board may refuse and revoke certificate for what causes.

Notice and trial and right of appeal to circuit court.

Refusal or revocation not to be made for what.

14. Any itinerant physician desiring to practice medicine in this State, or any itinerant vendor of any drug, nostrum, ointment or appliance of any kind, intended for the treatment of disease or injuries; or who shall by writing or printing, or in any other method publicly profess to cure or treat diseases, injuries or deformities, by any drug, nostrum, manipulation, or other expedient, shall before doing so, pay, to the sheriff of every county in which he desire to practice, a special tax of fifty dollars for each month or fraction of a month he shall so practice in such county, and take his receipt in duplicate therefor. He shall present said receipts to the clerk of the county court of such county, who shall file and preserve one of them in his office, and shall endorse on the other the words, "A duplicate of this receipt has been filed in my office," and sign the same; and if any such physician or vendor of patent medicines shall practice or attempt to practice in any such county without having paid such tax and filed such receipt with the clerk of the county court, and obtained his endorsement on the other as aforesaid, or if he shall practice or attempt to practice for a longer time than that for which he has paid such tax as aforesaid, he shall be guilty of a misdemeanor, and shall be fined not less than one hundred nor more than five hundred dollars. Any person who shall travel from place to place, and by writing, printing, or otherwise, publicly profess to cure or treat diseases, injuries or deformities, shall be held and deemed to be an itinerant physician and sub-

Itinerant physicians and drug vendors; special tax to be paid by; to whom and amt'of.

To take receipt in duplicate; to present same to county clerk; one to be filed, the other endorsed and returned.

Penalty for violating thisact.

Practicing longer than tax paid for.

Fine.

Who regarded as itinerant physicians.

ject to the taxes, fines and penalties prescribed in this section.

Free vaccination; to be provided for how.

Vaccination not compulsory.

21. The county courts of the different counties in the State shall, at their term in November of each year, make provision with their county boards of health for the free vaccination of their poor under the supervision of the overseers of the poor. Provided, that nothing in this act shall be construed to authorize any officer, board or tribunal, to make vaccination compulsory.

Duty of prosecuting attorneys.

Who to be ex-officio members of local boards.

22. The prosecuting attorneys of the different counties shall prosecute all cases arising under this law; and they with the president of the county courts shall be ex-officio members of the local county boards of health.

State board to have supervision of registration of marriages, etc.

Recommend what legislation.

Registrar of vital statistics; who to be.

Report of;

Salary; how paid.

23. The state board of health shall have supervision of the State system of registration of marriages, births and deaths, as hereinafter provided; they shall make up such forms, and recommend such legislation as shall be deemed necessary for the thorough registration of vital and mortuary statistics throughout the State. The secretary of the board shall be registrar of vital statistics, and he shall make and publish a report of the vital statistics of the state along with his report as secretary of the state board of health; and for his services as registrar he shall be paid a salary not to exceed five hundred dollars, to be fixed by the board of health and to be paid out of the fund provided for the board of health.

Physicians and accoucheurs required to register; where.

To report births and deaths; under what penalty.

Cause of death, etc.

Fee for each report.

24. It shall be the duty of all physicians and accoucheurs in this State to register their names and post office address with the clerk of the county wherein they reside; and said physicians and accoucheurs and accoucheuse, shall be required, under a penalty of ten dollars, to be recovered in any court of competent jurisdiction in the State, at the suit of the county clerk, to report to the clerk of the county court, within thirty days from the occurrence, all births and deaths which may come under their supervision, with a certificate of the cause of death and such co-relative facts as the board may require in the blank forms to be furnished as hereinafter provided; and they shall receive from the county the sum of twenty-five cents for every such report made to the clerk of the county court.

25. When any birth or death shall take place, on

physician or accoucheur being present, the same shall be reported to the clerk of the county court, within thirty days thereafter, with the supposed cause of death, by the parent, or if none, by the nearest of kin, not a minor, or if none, by the resident house holder where the birth or death occurred, under the penalty and provisions of section twenty-four of this act.

Birth and death, how and when reported, when no physician etc., present.

26. Coroners and undertakers of the several counties shall be required to report to the clerks of their county courts all cases of death which may come under their supervision, with the cause and mode of death, etc., as per forms furnished, under the penalty as provided in section twenty-four, of this act.

Coroners and undertakers to report deaths.

Penalty.

27. All ministers of the gospel shall be required to report, to the clerk of their county courts, all marriages celebrated by them, under the penalty as provided in section twenty-four, of this act.

Ministers to report marriages.

28. The county court clerks, of all the counties in this State, shall be required to keep separate books for the registration of the names and post office address of physicians and accoucheurs, for marriages, births and deaths; said books shall always be open to inspection without fee; and said county clerks shall be required to render a full and complete report of all marriages, births and deaths, to the registrar of vital statistics, annually, on the first day of July, and oftener if required; and for his services the clerk of the county court shall receive, from the revenues of the county, two cents for each name reported by him, on a penalty of one hundred dollars for failing to do so.

County clerks to keep what registers.

Open to inspection.

To make what report annually to registrar vital statistics.

Fee for report. Penalty.

29. It shall be the duty of the state board of health to prepare such forms, for the record of the marriages, births and deaths, as they may deem proper; the said forms to be furnished by the secretary of said board to the clerks of the county courts, whose duty it shall be to furnish them to such persons as are herein required to make reports.

Forms for record of marriages, etc., how furnished; to whom.

[Approved March 2, 1857.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER LXV.

AN ACT to repeal section nine, of chapter seventy-three, of the Code of West Virginia, as amended and re-enacted by section nine, of chapter one hundred and forty-nine, of the Acts of one thousand eight hundred and eighty-two, concerning the listing and posting of deeds.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

Act concerning the listing and posting of deeds, repealed.

1. That section nine, of chapter seventy-three, of the code of West Virginia, as amended and re-enacted by section nine, of chapter one hundred and forty nine, of the acts of the Legislature of one thousand eight hundred and eighty-two be, and the same is hereby repealed.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }  
March 3rd, 1887. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER LXVI.

AN ACT providing for a State Board of Examiners and the granting of State certificates to public school teachers.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia:

1. That there shall be a state board of examiners which shall consist of four competent persons, one from each congressional district, to be appointed by the state superintendent of free schools; the term of office of such examiners shall be four years and vacancies in said board shall be filled by the state superintendent of free schools. Said board shall meet at two different places, at least, in each congressional district in each year, for the purpose of making the examinations and granting the certificates provided for in this act, and any three of said members shall constitute a quorum.

State board of examiners; of whom to consist and how appointed.

Term of office.

Vacancies; how filled.

When and where to meet; for what purpose.

Quorum.

2. The board thus constituted may issue two grades of certificates to such as are found to possess the requisite scholarship, and who exhibit satisfactory evidence of good moral character and of professional experience and ability, as follows: First class certificates for twelve years: Second class. for six years: Any person holding a certificate of the first class, who shall have taught for eight years of said twelve years, shall be entitled, without examination, to have the same renewed at the expiration of the said twelve years.

Teachers' certificates; two grades of, issued to whom.

First class.

Second class. To what first class entitled holder.

The second class to be issued to applicants of satisfactory attainments in the branches required for county certificates, and in addition, not fewer than four other branches to be determined upon by the board.

Second class; to whom issued.

The second class certificates shall be issued upon application, without examination, to the graduates of the state normal school and its branches, and of the state university, when such graduates shall have presented to the board satisfactory evidence that they have taught successfully three years in the state under a number one county certificate two of which, said three years shall immediately precede the application for such certificate.

Second class. Issued to normal and university graduates; when.

Teachers who shall present to the board satisfactory evidence that they have taught successfully four years, under a second class certificate, shall be entitled to receive, without examination, a first class certificate at the expiration of the second class.

When teachers under second class entitled to receive first class certificates.



**Of what board required to keep a record.** The board shall keep a record of the proceedings, showing the number, date, and duration of each certificate, to whom granted, and for what branches of study, and shall report such statistics to the state superintendent annually, on or before the thirtieth day of September.

**Certificates to be countersigned; how.** 3. All certificates issued by such board shall be countersigned by the state superintendent of free schools; and such certificates shall supersede the necessity of any and all other examinations of the persons holding them, by any board of examiners, and shall be equivalent to a number one certificate granted by a county board of examiners, and shall be valid in any school district in the State, unless revoked by the state board for good cause.

**Effect of such certificates.**

**Where valid, unless revoked.**

**Fee to be paid by applicant.** 4. Each applicant for a certificate shall pay to the board of examiners a fee of five dollars.

**Compensation and mileage of members of board.** 5. The board of examiners shall each receive a compensation of five dollars per day for each day actually and necessarily spent in conducting the examinations, and for one day at each examination to be spent in consultation and preparing for their duties, and six cents per mile for each mile necessarily traveled in going to and returning from the place of examination. This compensation shall be paid out of the fees received from the teachers examined, and shall in no case exceed the amount so received. Said board shall, at the end of each school year, make and return, to the state superintendent of free schools, a detailed and certified account of the names of all applicants for examination, the amount of the fees received, the amount paid out to the members of the board, and the balance, if any, shall be paid over to the treasurer of the State to be placed to the credit of the distributable school fund.

**How paid.**

**Board to render annual account to state supt.**

**What to show. Balance; where placed.**

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }  
March 3, 1887. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated, within the time prescribed by the

Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER LXVII.

AN ACT to amend and re-enact section thirty, of chapter forty-five, of the Code of West Virginia, as amended by chapter one hundred and forty-seven, of the Acts of one thousand eight hundred and eighty-two.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia:

1. That section thirty, of chapter forty-five, of the Code of West Virginia, as amended by chapter one hundred and forty-seven, of the acts of one thousand eight hundred and eighty-two, be and the same is hereby amended and re-enacted, so as to read as follows:

Section 30,  
chapter 147,  
acts 1882,  
amended.

### *School Register—School Month—Institutes.*

30. Every teacher shall keep a daily register, and make monthly reports to the secretary of the board of education of his district. He shall also keep a term register, in which shall be entered the date of commencement and termination of every term of the school; the name and age of every scholar who attended the school during such term; the daily attendance, distinguishing between males and females; the branches taught, and the number of scholars engaged in each month in the study of each branch, and such other particulars as are necessary to enable the secretaries of the boards of education, or directors, to make the reports required of them. The state superintendent of free schools shall prescribe such forms and regulations respecting the register to be kept, and reports to be made by the teachers, as shall seem to him necessary.

Teachers' daily register and monthly reports.  
Term register; what to be entered therein.

State superintendent to prescribe forms, etc.

At the close of each term the register thereof shall

Register returned where, at close of term.

Where register to be filed and when.

Penalty if register be improperly kept or returned.

Teacher, when and how paid.

Teacher not paid unless monthly report be made, etc., as required.

School month how many days.

Teachers' institutes; when and how held.

Where and how long held and by whom conducted.

Duty of county sup't as to such institutes.

Pay of instructors; how paid.

Aggregate amount limited.

Examination for teachers to be held at close of institutes.

be returned by the teacher to the office of the secretaries of the boards of education, or directors, to make reports required of them. The state superintendent of free schools shall prescribe such forms and regulations respecting the register to be kept, and reports to be made by the teachers, as shall seem to him necessary.

At the close of each term the register thereof shall be returned by the teacher to the office of the secretary of the board of education for the district, who shall file the same, and unless such register be properly kept and returned, the teacher shall not be entitled to demand payment of the balance due on his salary. Teachers shall be paid monthly and by orders on the sheriff or collector, signed by the secretary and president of the board. Where any teacher has taught according to his contract, for one month, the trustees for the sub-district, in which he has so taught, shall certify the fact to the secretary of the district board, whereupon he shall receive from said secretary an order upon the sheriff or collector of the county, signed by the secretary and president of the board of education, for one month's salary; but in no case shall such order be given unless the monthly report containing the facts required in the preceding part of this section, to be shown in the term register, be first duly made out and returned to the secretary.

The school month shall consist of twenty days, excluding Saturdays, all of which shall be devoted to teaching the school contracted for. As a means of improving the teachers and fitting them for more effective service in the free schools of the state, teachers' institutes shall be held annually throughout the state, one or more in each county; they shall be held at such times and places as the state superintendent shall, with the advice of the county superintendent, direct, and shall continue each for one week of five days; they shall be conducted by experienced and skilful institute instructors, who shall be appointed by the state superintendent, but it shall be a part of the duty of the county superintendent, under the instructions of the state superintendent, to make all proper arrangements for the institutes, and to assist in conducting them. The instructors whom the state superintendent shall employ, as herein provided, shall each receive for his services, not more than twenty-five dollars for each institute he may instruct, to be paid out of the general school fund, on a proper order of the state superintendent, but the aggregate amount of such compensation for the whole state shall not exceed five hundred dollars. At the close of the institutes, as herein provided, and during the week following, the county board of examiners shall hold one of the two examina-

tions prescribed in section twenty-eight. It shall be the duty of the state superintendent to prescribe the course of instruction of the institutes and the methods of conducting them, together with such other details connected therewith as he shall deem conducive to their usefulness and efficiency. Any teacher who shall fail or refuse to attend at least one institute annually, held under the provisions of this section, unless such teacher shall have an excuse therefor, sufficient in the judgment of the board of examiners to which such teacher may apply for examination, shall not be entitled to examination, or be employed to teach any free school during the year within which such failure or refusal may have occurred.

State superintendent to prescribe course of instruction, etc. of institutes.

Consequence of teacher failing to attend institutes, unless, etc.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }  
March 3rd, 1887. }

I certify that the foregoing act having been presented to the governor for his approval, and not having been returned by him to the House of the Legislature in which it originated, within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER LXVIII.

AN ACT to amend section thirty three, of chapter thirty nine, of the acts of one thousand eight hundred and seventy five, as amended by chapter sixty-seven of the acts of one thousand eight hundred and eighty-one, being an act to amend the charter of the city of Charleston.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That section thirty-three. of chapter thirty-nine,

Section 33,  
chapter 67,  
acts 1881,  
amended.

of the acts of one thousand eight hundred and seventy-five, as amended by chapter sixty-seven, of the acts of one thousand eight hundred and eighty-one, be amended and re-enacted so as to read as follows:

Sergeant to  
collect taxes,  
levies, etc.,  
and pay over  
same; when.

33. It shall be the duty of the sergeant to collect all such taxes, levies, and other claims due the city, that may be placed in his hands for collection by the council, and shall pay over said taxes as follows: one half of the levy on or before the first day of March, and the residue on the first day of September, next succeeding the date when said taxes were placed in his hands for collection, and he shall pay interest at the rate of ten per cent. per annum, on any deficiency on said payments from the day he shall so fail to pay as required.

To pay interest on deficiency; what rate.

He shall be charged with all such collections, and no deductions shall be allowed him for taxes unless he make a delinquent list within one year from the time he receives the assessor's books for collection and return the list to the council with an oath thereto attached stating, that the said list is correct and just, that he has received no part of the taxes mentioned in said list so returned, and that he has used due diligence to find property liable to distress for said taxes and has found none, and that he could not collect the same.

No deduction for delinquents unless list be made; when.

Oath to be attached.

No person shall be elected or appointed to the office of sergeant for two successive terms or parts of terms (nor shall any person who acted as deputy be elected or appointed as successor to such sergeant), nor shall any such sergeant act as deputy to his successor, except, however, that in the event that a sergeant shall have settled with the council before the expiration of his term of office and shall have paid over in full the amount of all taxes due the city, and all other claims before that time placed in his hands for collection, and the said council shall have so certified upon their records, then, and in that event only, the said sergeant shall be eligible to re-election for the second time only.

Sergeant not to hold two successive terms; deputy not to succeed his principal, nor sergeant to act as deputy for his successor; exception.

May be elect'd for second term only.

Time allowed sergeant to collect; power of distraint.

The sergeant shall have six months in which to collect taxes or other claims that remain in his hands at the close of his term, with the same right to distrain and collect as when his term closed.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }  
March 3, 1887. }

I certify that the foregoing act, having been presented

to the Governor for his approval, and not having been returned by him to the house of the Legislature in which it originated, within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

## CHAPTER LXIX.

AN ACT authorizing the independent board of education for the city of Charleston to issue bonds for the purpose of building and equipping school houses in said city.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That the independent board of education for the city of Charleston are hereby authorized to issue and sell their bonds for the purpose of building and equipping school houses in said city, subject to all the limitations, requirements and provisions, set forth in the succeeding sections of this act.

Board education Charleston, authorized to issue bonds; for what purpose.

2. All bonds issued and sold under this act shall be of the denomination of one hundred dollars, and of multiples thereof. They shall be payable thirty years from their date. *Provided*, That they may be paid at any time after five years, from the date thereof, at the pleasure of the board, and this proviso shall be expressed on the face of the bonds.

Denominations of bonds.  
Payable when.  
May be paid any time after five years.

Said bonds shall bear no greater rate of interest than six per centum per annum; and said interest shall be payable annually on presentation of the coupons attached to and issued with said bonds, to the sheriff of Kanawha county.

Maximum interest fixed.  
When interest payable.

3. Whenever said board deem it desirable to issue

- Steps to be taken before bonds issued. bonds under authority of this act, and for the purpose herein set forth, they shall by resolution entered of record so declare, specifying the particular purpose and amount for which such bonds are to be issued, and the rate of interest said bonds shall bear. Said resolution shall appoint a day at which an election shall be held, by the qualified voters of said city, to decide whether they will ratify or reject said resolution. Such resolution shall be published in all of the newspapers published in said city, at least once a week, for two weeks previous to the day of the election.
- Election to be held. Notice; how published.
- Election to be conducted how. 4. Such election shall be conducted, and the returns thereof made, in the manner required in the election of members of said board.
- Financial statement to be published. 5. Together with said resolution, there shall be published a full and accurate statement of the financial condition of the board, as to both teachers' fund and building fund.
- Ballots; what to contain. 6. The person voting, for the ratification of any such resolution, shall have written or printed upon his ballot the words, "For ratification," and the person voting against ratification shall have written or printed upon his ballot the words, "For rejection."
- Three-fifths vote necessary. 7. No bonds shall be issued by the board unless the resolution, providing for their issuance, shall have received three-fifths of all the votes cast for and against the same, at the election herein provided for.
- Bonds to be sold only at par and for cash. Proceeds; to whom paid. 8. Neither the board nor any of the officers thereof shall, either directly or indirectly, sell any bond at less than the par value thereof, and then only for cash. The proceeds of the sale of all bonds issued under this act, shall be paid to the sheriff of Kanawha county, to the credit of the building fund of said board.
- Levy to pay interest and for sinking fund. Sinking fund, to be applied how. Sinking fund; name of; how created and maintained. 9. The said board shall annually provide, by sufficient levy, for the payment of the annual interest accruing on said bonds, as well as for the establishment of a sinking fund, for the payment of the same, within and not exceeding thirty years. This sinking fund shall only be applied to the purpose for which it was levied, and for investment in the bonds of the board, as the board may direct. And the said sheriff shall, out of the said levy, set aside and place to the credit of a special fund, to be known as "the city of Charleston school sinking fund," such amount as the board may direct, by annual resolution; and it shall be the duty

of said board annually, to direct said sheriff so to set aside to the credit of said special fund, such amount as will be amply sufficient to create and maintain said sinking fund, according to the true and full intent of this section, and of section eight, of article ten, of the Constitution of this State.

10. No bonded debt shall be created under this act, which shall cause the aggregate indebtedness of the board to exceed five per centum of the assessed value of the taxable property of said city, as ascertained by the last assessment for State and county purposes, previous to the incurring of such debt. <sup>Bonded debt limited.</sup>

11. Bonds issued under this act, shall be exempt from taxation by the board for district school purposes. <sup>Bonds exempt from what tax.</sup>

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }  
March 3rd, 1887. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER LXX.

AN ACT to establish the independent school district of Beverly, in Beverly district, of Randolph county.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That if a majority of the votes cast at the election



Independent school district of Beverly established; subject to ratification of voters thereof.

Boundaries.

hereinafter provided for be in favor thereof, the following described territory in Beverly district, of Randolph county, including the town of Beverly, shall, after the result of such election is ascertained and declared, be an independent school district, to be known as "the independent school district of Beverly," to-wit: Beginning on the top of Rich mountain. at a point where the districts of Beverly and Valley Bend corner on the same, thence eastwardly with the line between said districts to the Tygart's valley river, thence up the same so as to include the home farm of Nehemiah Carper, thence with the eastern boundary lines, and so as to include the farms of Nehemiah Carper. Archibald Stalnaker, Leland Kittle, John D. Wees, Susan Stalnaker, Fountain Butcher, C. N. Buckey, Margaret L. Buckey, James H. Logan, heirs of Christian Hostetler, Virginia Collett, heirs of C. W. Russell and heirs of Robert Scott, to the northeast corner of lands owned by Calvin Hart, thence so as to include his farm in a western direction to said Tygart's valley river, thence down the same with the meanders thereof to the line between S. W. Arnold and Eli Baker, thence with the northern boundary lines and so as to include the lands of S. W. Arnold, D. R. Baker and S. B Hart, to the line between the district of Beverly and Roaring creek, thence with the said line to the beginning.

When and how question submitted to voters.

Election to be by ballot.

What ballots to contain.

Board of education to be elected at same time.

Corporate name and powers of board.

Deemed owners of what property.

2. At the next election for county superintendent and other school officers, to be held in pursuance of law, it shall be the duty of the board of education of Beverly district, Randolph county, to submit to the qualified voters of said district the question of the adoption or rejection of the provisions of this act. The election shall be by ballot, and those voting for the establishment of the independent district shall have written or printed on their tickets, "For independent district," and those voting against the establishment thereof shall have written or printed thereon, "Against independent district." At the same election there shall be elected, by the qualified voters resident within the territory proposed by this act to be created into an independent district, three commissioners, and every two years thereafter one commissioner, who shall be a corporation by the name of "the board of education of the independent district of Beverly," and by that name may sue and be sued, plead and be impleaded, purchase and hold real estate and personal property necessary for the purposes of this act; and, without any transfer or conveyance, said board shall be deemed the owner of all the real and personal property within said proposed district, now held or owned by the board of edu-

tion of Beverly district for school purposes, and the board shall have all the powers, perform all the duties and be subject to all the liabilities that appertain to boards of education and trustees, under the general school law of the State, except as qualified or enlarged by this act. The commissioners, whose election is herein provided for, shall hold their offices for the term of six years, beginning on the first of July, one thousand eight hundred and eighty-seven, provided, however, that the commissioners elected at the first election, held under this act, shall cast lots for the long and short terms; and one of said commissioners shall hold his office for the term of two years, one four years, and one for six years, from July first, one thousand eight hundred and eighty-seven. The board of education shall annually elect one of its members president of the board. At the election for the adoption or rejection of this act as aforesaid, and at every election thereafter for school officers, the same officers shall conduct the election for both of the aforesaid districts, but a separate set of poll-books and a separate ballot-box shall be kept and used for each district, and the name of every person voting shall be entered on the poll-books and his ballot deposited in the ballot-box that shall be kept and used for the school district in which he resides, and the result of the elections herein provided for shall be ascertained and declared as in other elections. It shall be the duty of the board of education at its first meeting in July, or as soon thereafter as practicable, to ascertain as near as may be, the amount of money necessary to conduct the school of said independent district in addition to the money on hand, or to come to hand during the year, belonging to the teachers' and building funds respectively, to keep the schools of said district in operation at least four months in the year: for which amount the board shall levy a tax upon the property of said district, which shall be collected and accounted for in all respects by the sheriff of the county as other school moneys, provided, however, that the rate of levy in any one year shall not exceed the rate prescribed by the general school law. The taxes levied shall be a lien upon the property of said district, as provided by general law for other taxes. The board of education shall, at its first meeting in July, or as soon thereafter as practicable, appoint a principal of said school and such assistants as may be necessary to properly conduct said school. The same board shall at the same time fix the salary to be paid each teacher, without regard to the grade of certificate held by such teacher. The teachers in said district shall be examined in all respects as

Terms of office of commissioners.

Respective terms to be determined by casting lots.

President of board; when, and how elected.

Elections; by whom and how conducted.

Separate poll books and ballot box for each district.

Result; how ascertained and declared.

Board to levy tax to afford sufficient funds for four months school.

How collected, etc.

Rate of levy.

Tax so levied a lien on property.

Appointment of teachers of said school.

Salaries; how fixed.

Teachers;  
how examin-  
ed.

Duty of coun-  
ty superin-  
tendent.

Board may  
establish a  
graded school.

Branches to  
be taught.

Rules and  
regulations,  
how estab-  
lished.

Janitor.

General law  
to apply.

other teachers of Randolph county, and the county superintendent of said county shall visit and report said school or schools as other schools in said county. The board of education of said school district shall have power to establish a graded school with an adequate number of departments, or separate schools, so as to accommodate all the pupils of school age in said district, in which shall be taught all the branches prescribed by general law and such other branches as the board of education may from time to time prescribe. Said board shall have power to admit pupils not residents of said district, upon the payment of such tuition as the board may prescribe. The board shall have power to make such rules and regulations as to the government of pupils and teachers of said district as may be necessary or expedient for the advancement of education in the community. It shall also have authority to employ a janitor and fix his compensation. The provisions of the general school law of the State shall govern the board of education of the independent district in all cases, unless inconsistent with this act.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA,  
OFFICE OF SECRETARY OF STATE, }  
March 3, 1887. }

I certify that the foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the Legislature in which it originated, within the time prescribed by the Constitution of the state, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

CHAPTER LXXI.

AN ACT to amend and re-enact sections four and five, of chapter one hundred and thirty-three, of the Acts of one thousand eight hundred and seventy-two, in relation to the Independent School District of Pruntytown, in Taylor county.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia:

1. That sections four and five, of chapter one hundred and thirty-three, of the acts of one thousand eight hundred and seventy-two, be amended and re-enacted so as to read as follows: Sections 4 and 5, chapter 133, acts 1882, amend'd.

4. The qualified voters of the independent school district of Pruntytown shall, on the day prescribed by law for holding the general election for county superintendents and district school officers, elect three commissioners as herein provided for, one of the commissioners to be elected president. The term of office of the commissioners so elected shall commence on the first day of July next after their election, and shall continue for two years thereafter or until their successors are elected and qualified. Pruntytown independent school district; election of commissioners of, when. Term of office.

5. The said election shall be conducted by the officers appointed to conduct the election for county superintendent at the voting places in said independent district, and the result thereof ascertained and declared in the same manner as is prescribed in the general school law for ascertaining and declaring the result of elections for district school officers. Election; how conducted. Result; how ascertained and declared.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
 GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
 OFFICE OF SECRETARY OF STATE, }  
 March 3rd, 1887.

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the

Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER LXXII.

AN ACT to amend and re-enact section forty-nine, of chapter thirty-nine, of the code of West Virginia, as revived, amended and re-enacted by chapter forty-seven, of the acts of the Legislature of one thousand eight hundred and eighty-three.

[Passed February 26, 1887.]

Be it enacted by the Legislature of West Virginia:

Section 49,  
chapter 47,  
acts 1883,  
amended.

1. That section forty-nine, of chapter thirty-nine, of the code of West Virginia, as revived, amended and re-enacted by chapter forty-seven, of the acts of the Legislature of one thousand eight hundred and eighty-three, be and the same is hereby amended and re-enacted so as to read as follows:

Allowances  
by county  
courts to cer-  
tain county  
officers; how  
paid.

49. The county court of every county shall allow annually to the county officers, hereinafter mentioned, for their public services, for which no other fee or reward is allowed by law, such sums, to be paid out of the county treasury, as are deemed reasonable by the court within the limits ascertained by law, that is to say:

To sheriff; ex-  
cept, etc.

To the sheriff not to exceed two hundred dollars, except that the sheriff of Cabell, Fayette, Jackson, Greenbrier, Lewis, Lincoln, Mason, Marshall, Marion, Mercer, Monongalia, Morgan, Putnam, Preston, Ritchie, Tucker, and Wood counties, shall be allowed a sum not to ex-

ceed three hundred dollars, and to the sheriff of Kanawha and Ohio counties a sum not to exceed five hundred dollars. To the clerk of the circuit court not to exceed two hundred dollars, except that the clerk of the circuit court of Ohio county shall be allowed annually not less than five hundred nor more than twelve hundred dollars; of Jefferson county not less than two hundred nor more than three hundred dollars; of Logan and Tyler counties shall be allowed a sum not to exceed three hundred dollars; of Braxton and Monongalia counties not less than four hundred nor more than six hundred dollars; of Summers county not less than three hundred nor more than four hundred dollars; and of Berkeley, Barbour, Cabell, Fayette, Greenbrier, Jackson, Kanawha, Lincoln, Lewis, Marion, Mason, Marshall, Mercer, Putnam, Randolph, Ritchie, Upshur, Wayne, Wetzel and Wood counties, a sum not to exceed six hundred dollars each. To the clerk of the county court a sum not to exceed two hundred dollars, except that the clerks of the county courts of Barbour, Greenbrier, Lincoln, Lewis, Logan, Mercer, Monroe, Putnam, Randolph, Ritchie, Roane, Summers, Tyler, Taylor, Upshur, and Wayne counties shall be allowed a sum not to exceed three hundred dollars; and to the clerks of the county courts of Jefferson, Berkeley, Cabell, Fayette, and Ohio counties a sum not to exceed five hundred dollars; and to the clerks of the county courts of Marion, Marshall, Mason, Monongalia, Jackson, Kanawha, Preston, Wetzel and Wood counties, a sum not to exceed six hundred dollars each.

To clerk of circuit court; except, etc.

To clerk of county court; except, etc.

To the prosecuting attorney not less than two hundred nor more than four hundred dollars, except as follows: In the counties of Barbour, Greenbrier, Harrison, Jackson, Jefferson, Mercer, Mineral, Monongalia, Lewis, Putnam, Randolph, Wayne, Ritchie, and Wetzel, not less than three hundred nor more than six hundred dollars; in the counties of Berkeley, Cabell, Fayette, Marion, Marshall, Preston, Summers, Braxton and Taylor, not less than five hundred nor more one thousand dollars; in the counties of Kanawha, Mason and Wood, not less than five hundred nor more than twelve hundred dollars; and in the county of Ohio not less than five hundred nor more than two thousand dollars.

To prosecuting attorney; except, etc.

But no extra compensation shall be allowed to any public officer, agent, servant, or contractor, after the service shall have been rendered or the contract made, nor shall the salary of any public officer be increased or diminished during his term of office. And it shall be the duty of the prosecuting attorney to attend to and prosecute or defend, as the case may be, all actions, suits and proceedings in which his county or any dis-

No extra compensation allowed, etc., nor salary increased, etc.

Duty of prosecuting attorney; no additional pay for such duty.

trict therein is interested without additional compensation.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }  
March 3rd, 1887. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

### CHAPTER LXXIII.

AN ACT to amend and re-enact section twenty-four of chapter fifty-four, of the code, and section thirty, of chapter fifty-four, of the code of West Virginia, as amended by the acts one of thousand eight hundred and eighty one, chapter seventeen, and the acts of one thousand eight hundred and eighty-two, chapter ninety-seven.

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

Chapter 17,  
acts 1881, and  
chapter 97,  
acts 1882,  
amended.

1. That sections twenty-four, of chapter fifty-four, of the code of West Virginia, and section thirty, of chapter fifty-four, of the code of West Virginia, as amended by acts one thousand eight hundred and eighty-one, chapter seventeen and acts one thousand eight hundred and eighty-two, chapter ninety-seven,

are hereby amended and re-enacted to read as follows:

24. Every such corporation having its principal office or place of business in this State shall, within thirty days after organization, by power of attorney duly executed, appoint some person residing in the county in this State wherein its business is conducted, to accept service on behalf of said corporation, and upon whom service may be had of any process or notice, and to make such return for and on behalf of said corporation to the assessor of the county or district wherein its business is carried on, as is required by the forty-first section of the twenty-ninth chapter of the code. Every such corporation having its principal office or place of business outside this State shall, within thirty days after organizing, by power of attorney duly executed, appoint some person residing in this State to accept service on behalf of said corporation, and upon whom service may be had of any process or notice, and to make return of its property in this State for taxation as aforesaid.

Corporations having principal office in this state, must appoint agent to accept service of process; when and how.

Agent to return property of corporation to assessor.

Provision as to corporations having principal office out of state..

The said power of attorney shall be recorded in the office of the clerk of the county court of the county, in which the attorney resides, and filed and recorded in the office of the secretary of state, and the admission to record of such power of attorney shall be deemed evidence of compliance with the requirements of this section.

Power of attorney; where filed and recorded.

What evidence of compliance.

Corporations heretofore organized may comply with said requirements at any time within three months after the passage of this act. Any corporation failing to comply with said requirements within six months after the passage of this act shall forfeit not less than two hundred nor more than five hundred dollars, and shall, moreover, during the continuance of such failure, be deemed a non-resident of this State, and its property, real and personal, shall be liable to attachment in like manner as the property of non-resident defendants; any corporation failing so to comply within twelve months after the passage of this act shall, by reason of such failure, forfeit its charter to the State, and the provisions of section eight, chapter twenty, acts one thousand eight hundred and eighty-five, relative to notice and publication, shall apply thereto.

Time in which corporations heretofore organized may comply. Effect of failure to comply, in six months.

Deemed non-resident.

Property liable to attachment in like manner.

Failure to comply in twelve months forfeits charter.

30. Any corporation duly incorporated by the laws of any state or territory of the United States, or of the District of Columbia, or of any foreign country, may, unless it be otherwise expressly provided, hold property and transact business in this State, upon complying

When foreign corporations may hold property and do business in this state.



with the requirements of this section, and not otherwise. Such corporation so complying shall have the same rights, powers and privileges, and be subject to the same regulations, restrictions and liabilities, that are conferred and imposed by this and the fifty-second and fifty-third chapters of this code, and by chapter twenty of the acts of one thousand eight hundred and eighty-five, on corporations chartered under the laws of this State. Every such corporation shall file with the secretary of state a copy of its articles of association and of the law and authority under which it is incorporated. The secretary of state shall issue to every such corporation complying with the provisions of this section a certificate of the fact of its having done so, which certificate shall be filed and recorded in the office of the clerk of the county court of the county, or one of the counties in which its business is conducted. Such corporation shall also file, in the said clerk's office, a copy of its charter, to be kept and preserved therein. Every railroad corporation doing business in this State under the provisions of this section, or under charters granted or laws passed by the State of Virginia, or this State, is hereby declared to be, as to its works, property, operations, transactions and business in this State, a domestic corporation, and shall be so held and treated in all suits and legal proceedings which may be commenced or carried on by or against any such railroad corporation, as well as in all other matters relating to such corporation. No railroad corporation which has a charter, or any corporate authority, from any other state, shall do business in this state as the lessee of the works, property or franchises of any other corporation or person, or otherwise; or bring or maintain any action, suit or proceeding in this State, until it shall, in addition to what is hereinbefore required, file in the office of the secretary of state a writing, duly executed under its corporate seal, accepting the provisions of this section and agreeing to be governed thereby, and its failure so to do may be pleaded in abatement of any such action, suit or proceeding; but nothing herein contained shall be construed to lessen the liability of any corporation, which may not have complied with the requirements of this section, upon any contract or for any wrong. Every such corporation which shall do business in this State, without having complied with the provisions of this section, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than five hundred dollars nor more than one thousand dollars for each month its failure so to comply shall continue. Prosecutions under this section shall be in the county in which the seat of government is. For every certificate

Shall have rights, powers, etc., and be subject to same liabilities, etc., as those chartered in this state.

Copy of articles of association, etc., to be filed with secretary of state.

Secretary of state to issue certificate.

Certificate to be filed and recorded where.

Copy of charter also to be filed.

Railroad corporations doing business in this state, etc., declared domestic corporation.

Railroad corporations chartered elsewhere, not to be lessee of works, etc., or bring suit in this state, unless, etc.

Failure may be pleaded in abatement.

Liability upon contract or for wrong not lessened.

Penalty for violation of this act.

Prosecutions, when instituted.

issued under this section the secretary of state shall be paid by the corporation a fee of five dollars. Fee for certificate.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA,  
OFFICE OF SECRETARY OF STATE,  
March 3, 1887. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
Secretary of State.

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

#### CHAPTER LXXIV.

AN ACT to create an independent school district out of the Troy sub district in Troy district, Gilmer county, to be known as "the independent school district of Troy."

[Passed February 25, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That in case a majority of votes cast at the election, herein provided for, be in favor thereof, the following described territory in the county of Gilmer shall, after the result of such election is ascertained and declared, be an independent school district, and be known as "the independent school district of Troy," to-wit: All the town of Troy and the territory adjacent there- to bounded and described as follows: Beginning at the head of Raccoon run on the north side of Big Cove

Troy independent school district created, subject to approval of voters.  
Boundaries.

creek, and running a straight line to the head of Sandy run, thence a straight line to the top of Wildcat knob, thence a straight line to the mouth of Coal Bank run, thence with the Parkersburg and Staunton turnpike to the Fink's creek bridge, thence with the county road to the north line of John R. Butcher's land, thence a straight line to the beginning.

Question to be submitted to voters; when.

2. At the next election for county superintendent and other school officers, to be held in pursuance of law, it shall be the duty of the board of education of Troy district, in Gilmer county, to submit to the voters residing in said Troy district, the question of the adoption or the rejection of the provisions of this act.

Ballots; what to contain.

Those voting in favor of the establishment of said independent district shall have written or printed on their ballots, "For independent district," and those voting against the establishment thereof shall have written or printed on their ballots the words, "Against independent district."

Election; how conducted and result ascertained, etc.

The election shall be conducted and the results ascertained and declared by the same officers conducting the election for county superintendent and other school officers, on that day.

Board of education; to be elected, when and how; of what to consist.

At the said election there shall also be elected, by the legal voters residing within the boundaries of said territory of said proposed independent school district, a board of education for said independent school district, consisting of a president and two commissioners, who shall be a corporation by the name of "the board of education of the independent school district of Troy," and by that name may sue and be sued, plead and be impleaded, contract, purchase and hold so much real estate and personal property as may be necessary for the purpose of this act; and, without any transfer or conveyance, they shall

Name and powers of.

be deemed the owners of all real and personal property within the territory aforesaid, now held or owned for free school purposes by the board of education of Troy district; and they shall have all the powers, perform all the duties, and be subject to all the liabilities, both of boards of education and trustees. They shall hold their offices for the term of two years, beginning on the first day of July, after their election, and until their successors are elected and qualified according to law.

Deemed owners of what property.

And in the year one thousand eight hundred and eighty-seven, and biennially thereafter, a new board shall be elected at the same time and under the same regulations that county superintendents and other school officers are elected; but nothing herein contained shall be construed to prohibit the re-election and eligibility of any member of such board for two or

Term of office.

And in the year one thousand eight hundred and eighty-seven, and biennially thereafter, a new board shall be elected at the same time and under the same regulations that county superintendents and other school officers are elected; but nothing herein contained shall be construed to prohibit the re-election and eligibility of any member of such board for two or

Re-election of members of board not prohibited.

And in the year one thousand eight hundred and eighty-seven, and biennially thereafter, a new board shall be elected at the same time and under the same regulations that county superintendents and other school officers are elected; but nothing herein contained shall be construed to prohibit the re-election and eligibility of any member of such board for two or

more terms. Vacancies in the board shall be filled for the unexpired term by appointment by said board.

Vacancies; how filled.

3. The independent school district of Troy, herein authorized to be established, shall conform to and be governed by the general school law in this State, except where it is otherwise provided by this act.

To be governed by general law.

4. All school moneys, whether belonging to the teachers' or building fund of Troy district, which may be unexpended when the provisions of this act take effect, shall be divided between the said Troy district and the independent district of Troy, in proportion to the amount of taxable property in each of the said districts, after the creation of said independent school district of Troy. The latest available assessment for State and county purposes shall be taken as the basis of such settlement and division. It shall be the duty of the boards of education of each of said districts, on or before the first day of July after their election, to make the financial settlement provided for in this section.

Unexpended moneys of Troy district; how divided.

Basis of settlement.

Settlement by whom made.

5. The said board of education, at the first meeting after their election, shall appoint a secretary who shall not be a member of the board, who shall perform all the duties of a secretary of a board of education prescribed in the general school law, and, in addition thereto, shall make an enumeration of the youths of the said independent district, between the ages of six and twenty-one years of age, at the time required by the general school law, and according to the provisions therein contained in relation to making an enumeration of youths. The salary of said secretary shall not exceed fifteen dollars per year, to be paid out of the building fund for said independent district.

Secretary; how appointed.

His duties.

Salary of secretary.

6. It shall be the duty of the board of education of said independent district, at their annual meeting, to be held on the first Monday in July, or at some subsequent meeting, or as soon thereafter as practicable, not later than the first day of the next August, to ascertain, as near as can be, the amount of money necessary, in addition to other funds properly belonging to said independent district, available for that year, to keep the schools of said district in operation not less than six months in the year; for which amount said board shall levy a tax upon the taxable property included in said district, which tax shall be collected in the same manner as other school taxes are collected, under the provisions of the general school law of this State; and for collecting the same the sheriff shall be allowed the

Board to levy tax sufficient to afford six months school.

Tax how collected; sheriff's commission.

same commission as he is allowed by law for collecting the school money for the districts.

Board to appoint teachers and fix salaries; when.

7. The board of education of said independent district shall, at a meeting held not later than the first day of September in each year, appoint as many teachers as they shall deem necessary to give proper instruction to the children of school age within said district, and at the same meeting they shall fix the salary which each of said teachers may receive. Such appointments shall be recorded by the secretary of said board; and any teacher appointed by said board may by them be removed for incompetency, neglect of duty, intemperance, profanity, cruelty or immorality.

For what teacher may be removed.

J. M. ROWAN,  
*Speaker of the House of Delegates.*  
GEO. E. PRICE,  
*President of the Senate.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }  
March 3, 1857. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State,*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

# JOINT RESOLUTIONS.

---

[No. 1.]

JOINT RESOLUTION instructing our Senators and requesting our Representatives in Congress to enquire and ascertain why the appropriations made by Congress for the improvement of the Shenandoah river, in the limits of Jefferson county, and for the Guyandotte river, have not been expended.

Resolved by the Legislature of West Virginia:

That our Senators in the Congress of the United States be instructed and our Representatives requested to enquire and ascertain, by resolution or otherwise, why the appropriations made by Congress for the improvement of the Shenandoah river, in the limits of the county of Jefferson, have not been expended for the purpose indicated and set forth in said acts of Congress; and also enquire and ascertain why the amounts appropriated by Congress for the Guyandotte river in the counties of Cabell, Lincoln and Logan, have not been expended.

[Adopted January 11, 1867.]

---

[No. 2.]

JOINT RESOLUTION providing for the adoption of joint rules for the government of the two houses of the Legislature.

Resolved by the Legislature of West Virginia:

That the joint rules of the Senate and House of Delegates

heretofore adopted, and printed in the manual of the Legislature of this State at the last session thereof, be, and the same are hereby, adopted for the government of the two houses of this Legislature.

[Adopted January 17, 1887.]

---

[No. 3.]

JOINT RESOLUTION instructing our Senators and requesting our Representatives in Congress to use their influence to secure the passage by Congress of the militia pension bill.

Resolved by the Legislature of West Virginia :

1 That our Senators in Congress be instructed, and our Representatives requested, to use their influence to secure the passage of the bill pending before the Congress of the United States known as the militia pension bill, or other measure of such character as will entitle the widows, orphan children and the disabled members of the militia, who served the federal government either in [the field or in prison in the late war between the States, to proper pensions from the United States government.

2. That the governor of this State send a copy of this resolution to each of the Senators and Representatives in Congress from this State.

[Adopted January 18, 1887.]

---

[No. 4.]

JOINT RESOLUTION concerning the manner of printing the journals and bills.

Resolved by the Legislature of West Virginia :

1. In printing the daily journals of the proceedings of each house, there shall be printed at the top of each page, except the first, the date of the journal, and on the last page of each day's journal shall be printed the calender for the next day.

2. At the top of the first page of each bill, preceding the title

and number thereof, there shall be printed the name of the person by whom, or the committee by which it was introduced, the date when introduced; and at the top of each page, except the first, shall be printed the number of the bill.

[Adopted January 18, 1887.]

---

[No. 5.]

JOINT RESOLUTION authorizing the adjutant general to turn over to the Commander of the Department of West Virginia of the Grand Army of the Republic all medals in his possession, belonging to soldiers.

Resolved by the Legislature of West Virginia :

That the adjutant general be and he is hereby authorized to turn over to the commander of the department of West Virginia of the Grand Army of the Republic, for distribution and safe keeping, all the medals to the soldiers of this State, who served in the late war for the Union, provided by joint resolution of the Legislature of February 1st, 1866, remaining in the adjutant general's office.

[Adopted January 18, 1887.]

---

[No. 6.]

JOINT RESOLUTION authorizing the auditor to draw warrants upon the treasury for the *per diem* and mileage of members of the Legislature, and the *per diem* of the officers and attaches of the senate and house of delegates.

Resolved by the Legislature of West Virginia :

That the auditor is hereby authorized to issue his warrants upon the treasury for such amounts as are or may become due to the several members, officers and attaches, of the senate and house of delegates for their *per diem*, upon the proper requisitions of the clerk of the senate and sergeant-at-arms of the house, respectively; and the said auditor is further authorized to issue his



warrants for the mileage of the members of the two houses as soon as the same is ascertained and fixed, upon proper requisitions being presented to him therefor.

[Adopted January 18, 1887.]

---

[No. 7.]

JOINT RESOLUTION raising a joint committee to investigate the management and examine into the condition of the penitentiary.

Resolved by the Legislature of West Virginia :

That a joint special committee, composed of three Senators and five members of the House of Delegates, be appointed to investigate the management, and examine the condition of the penitentiary ; the said committee to have power to send for persons and papers, and to incur such reasonable expense as may, in its judgment, contribute to the object for which the committee shall have been appointed ; and that said committee be instructed to report specially whether there are any punishments inflicted there, or instruments for that purpose, which are prohibited by the constitution as being cruel and unusual.

[Adopted January 19, 1887.]

---

[No 8.]

JOINT RESOLUTION requesting the Senators and Representatives from this State in Congress to use their influence to secure an appropriation from Congress to aid in the erection of a suitable monument to commemorate the battle of Point Pleasant, fought October tenth, one thousand seven hundred and seventy-four.

WHEREAS, The battle of Point Pleasant, fought on the tenth day of October, one thousand seven hundred and seventy-four, which has been described by Bancroft as "the most bloody and best contested in the annals of forest warfare," and which has been by historians designated as "virtually the first in the series of those brilliant achievements which burst the bonds of British

tyranny," and in which was spilled the first blood in "the sacred cause of American Liberty;" and which is universally recognized by the people as an event of the greatest importance and interest to this country, therefore,

Resolved by the Legislature of West Virginia :

That the Senators and Representatives of this State in Congress be, and they are hereby requested, to use their influence to secure an appropriation from Congress to aid in the erection of a suitable monument to commemorate the said battle, at Point Pleasant.

[Adopted January 20, 1887.]

[No. 9.]

JOINT RESOLUTION authorizing the Governor of this State to supply the grand army posts of this State with arms.

Resolved by the Legislature of West Virginia :

1. The Governor of this State is hereby authorized and requested to furnish to any and all grand army posts, within this State, guns and necessary equipments, not to exceed fifteen in number to any one post, for use in said posts. Said guns and equipments to be returned to the State armory whenever the governor requires it.

2. Before issuing said guns satisfactory bonds shall be executed for the use, care and return of said guns.

[Adopted February 3, 1887.]

[No. 10.]

JOINT RESOLUTION providing for lighting the entrances to the Capitol Building during the session of the Legislature.

Resolved by the Legislature of West Virginia :

That the janitor be instructed to place good and sufficient lights at each entrance to the Capitol Building, and to keep them lighted at night during the session of the Legislature.

[Adopted January 28, 1887]

[No. 11.]

JOINT RESOLUTION raising a committee to investigate the management of the hospital for the insane.

Resolved by the Legislature of West Virginia :

1. That the following persons, to-wit : Joseph Sprigg, of Hardy county, W. P. Hubbard, of Ohio county, Dr. R. W. Dailey, of Hampshire county, Dr. A. E. Summers, of Kanawha county, and Dr. A. R. Barbee, of Mason county, any three of whom shall be a quorum, be and are hereby appointed a committee to investigate the management and condition of the hospital for the insane. Said committee to have power to send for persons and papers and to employ a stenographer to take down the evidence, and said committee shall report to the legislature at its present session and return the evidence taken with their report, and make such recommendations as they may deem pertinent and proper. The members of said committee shall each receive as compensation for his services, hereunder, four dollars for each day he is so actually employed, and five cents for each mile necessarily traveled by him hereunder.

[Adopted February 4, 1887.]

---

[No. 12.]

JOINT RESOLUTION raising a special joint committee to consider the propriety and necessity of the publication of the laws of this State.

Resolved by the Legislature of West Virginia :

1. That the president of the senate appoint two senators and the speaker of the house appoint three delegates, who shall form a special joint committee to consider the propriety and necessity of the publication of the laws of this state in one volume, and to said committee shall be referred all bills and resolutions concerning the subject of the publication of said laws.

2. Said committee is hereby authorized to receive and consider propositions from persons to prepare for publication, or to prepare and publish, said laws

3. Said committee shall make report as soon as may be, by bill or otherwise.

[Adopted February 4, 1887.]

## [No. 13.]

JOINT RESOLUTION relative to the Centennial Exposition of the Ohio Valley and Central States :

WHEREAS, In the year 1888 will occur the one hundredth anniversary of the first settlement of the Northwestern Territory, and as such anniversary will be of great interest, especially to the people of this and of the great Central States of the Union, and should be appropriately observed and celebrated, in order that the progress of the century may be noted ; and,

WHEREAS, No better way can be devised for such purpose than by an exposition of agricultural, mechanics, commerce and art, to be held in a city near the center of population ; and the city of Cincinnati is so situated, and the Chamber of Commerce, the Board of Trade and the Ohio Mechanics' Institute, of that city, have undertaken the organization and carrying on of the Centennial Exposition of the Ohio Valley and Central States, to be held at Cincinnati in the year 1888, and have appointed a Board of Commissioners of leading citizens of that city for such purpose ; and

WHEREAS, Said commissioners have petitioned this legislature for its approval and co-operation in said undertaking ; therefore, be it

*Resolved*, That hereby there be extended to the Centennial Exposition of the Ohio Valley and Central States, to be held in the city of Cincinnati, in the centennial year 1888, the hearty approval of this body and the people of the State, and in their behalf we ask for said board and exposition the support of the Federal Government, our sister States, and especially the central States of the Union.

*Resolved*, That the governor be requested and empowered to appoint five honorary commissioners from this State, to represent the State in the preparation for, and the carrying on of, this centennial exposition.

[Adopted February 7, 1887.]

## [No. 14.]

JOINT RESOLUTION raising a joint committee of the senate and house of delegates to investigate the manner of letting and the conditions of the existing contract or contracts, pertaining to the furnishing of school books for the public schools of this State.

Resolved by the Legislature of West Virginia :

That a joint committee consisting of three members of the

senate and four members of the house of delegates be appointed to investigate the matter of the letting of contracts for the supply of school books by the former state superintendent of free schools, and to ascertain and report whether or not the prices paid for such books are excessive or exorbitant. Said committee shall have power to send for persons and papers.

[Adopted February 12, 1887.]

---

[No. 15.]

JOINT RESOLUTION authorizing the county court of Marion county to put into immediate operation the alternative road method.

WHEREAS, at an election held in Marion county on November the second, one thousand eight hundred and eighty-six, the alternative road law was adopted, and whereas by changing the general election from October to November, there was no regular session of the county court in said county prior to January the first, and

WHEREAS, The term of office of the surveyor of roads does not begin until the first day of January succeeding his appointment; therefore,

Be it resolved by the Legislature of West Virginia :

That the county court of Marion county be and is hereby authorized to put the alternate road method in said county, adopted on November the second, one thousand eight hundred and eighty-six, into immediate operation.

[Adopted February 14, 1887.]

---

[No. 16.]

JOINT RESOLUTION proposing an amendment to the constitution of the state, prohibiting the manufacture and sale of intoxicating liquors.

Resolved by the legislature of West Virginia, two-thirds of all the members elected to each house agreeing thereto :

1. That the following be, and the same is, proposed as an amendment to the constitution of this state, to-wit :

2. That section forty-six, of Article VI. of said constitution, as it now is, be stricken out, and the following be inserted therein, in lieu thereof :

46. The manufacture, sale and keeping for sale, of all intoxicating liquors, drinks, mixtures and preparations, except as hereinafter provided, are forever prohibited within this state ; and the legislature shall without delay provide, by appropriate legislation, for the strict enforcement of this provision. But the legislature may provide by law for the manufacture, sale and keeping for sale, of alcohol, and preparations thereof, for scientific, mechanical and medicinal purposes, and of wine for sacramental purposes, under sufficient penalties and securities, to ensure the due execution of such laws as may be enacted under this section.

[Agreed to February 17, 1867.]

[No. 17.]

JOINT RESOLUTION directing the governor to enquire into the act for refunding the war tax to West Virginia.

WHEREAS, A bill is now pending in the Congress of the United States with reference to returning the tax imposed by the general government on the several states and territories as a war tax ; therefore, be it

Resolved by the Legislature of West Virginia :

That the governor be directed and authorized to enquire into the matter, and take charge of the interests of West Virginia in the same, and to pay such expenses as may be necessarily incurred, under this resolution, out of the fund when collected.

[Adopted February 17, 1867.]

[No. 18.]

JOINT RESOLUTION providing for an examination of certain matters in the auditor's office.

Resolved by the Legislature of West Virginia :

1. That the auditor be requested to investigate the books in the

auditor's office, and ascertain whether the school fund has received its proper proportion of the moneys that have come into the treasury; whether more of the taxes returned delinquent have been charged to the school fund than ought to have been charged; whether all appropriations made to the school fund have been paid in accordance with the law making them, and if not, what sum is due because of any such failure; what debts the state owed to the school fund at the close of the last fiscal year, the date of each and to what time the interest on each has been paid.

[Adopted February 19, 1887.]

[No. 19.]

JOINT RESOLUTION proposing an amendment to the constitution of this State.

Resolved by the Legislature of West Virginia, two-thirds of all the members elected to each house agreeing thereto:

1. That the following amendment to article III., of the constitution of the State be, and the same is hereby proposed, to-wit:

2. That section thirteen, of article III., as it now is, be stricken out, and the following inserted in lieu thereof:

SEC. 13. In suits at common law, where the value in controversy exceeds twenty dollars, exclusive of interest and costs, the right of trial by jury, if required by either party, shall be preserved, and in such suit before a justice, a jury may consist of six persons.

[Agreed to February 21, 1887.]

[No. 20.]

JOINT RESOLUTION providing for the publication of a second edition of the code of West Virginia.

Resolved by the Legislature of West Virginia:

1. That the Governor is hereby authorized to contract for the purchase of eighteen hundred copies of a second edition of the

code of West Virginia, to be compiled by John A. Warth, at a price not to exceed six thousand dollars, which shall be inclusive of preparation of manuscript, printing, proof-reading, binding and delivery of the book, which delivery shall be made within six months after the adjournment of this Legislature.

2. Said second edition of the code shall be printed in one volume, on the plan and after the style of, and equal to in all respects (including binding, paper, typography and comprehensiveness of index) to the code of 1868; and it shall contain all the public laws now in force, and those passed at the present session of the Legislature, in their proper place, with correct references by marginal notes to all prior laws and applicable decisions, and also the Constitution of the United States, the Constitution of this State, and the laws of the United States concerning naturalization, with a complete index to the whole.

3. When the said second edition of the code has been approved by the Supreme Court of Appeals, or a majority of the judges thereof, and when the number of copies contracted for has been delivered to the secretary of the state, as aforesaid, the Governor shall cause the same to be paid for.

4. The secretary of state shall distribute said second edition of the code as the session acts of the Legislature are distributed, except that members of the present Legislature shall receive but one copy each.

[Adopted February 22, 1887.]

[No. 21.]

JOINT RESOLUTION proposing an amendment to the Constitution of this State.

Resolved by the Legislature of West Virginia, two-thirds of all the members elected to each House agreeing thereto:

1. That the following amendment to article VI, of the Constitution of this State, be, and the same is hereby proposed, to-wit:

2. That section twenty-two, of article VI, as it now is, be stricken out, and the following inserted in lieu thereof:

22. No session of the Legislature shall continue longer than sixty days, without the concurrence of two-thirds of the members elected to each House.

[Agreed to February 24, 1887.]



[No. 22.]

JOINT RESOLUTION providing for a joint committee to wait upon the governor.

Be it Resolved by the Legislature of West Virginia :

That a joint committee, of two on the part of the senate and three on the part of the house of delegates, be appointed to wait upon the governor and inform him that the legislature is now ready to adjourn, and ascertain whether he has any further communication to make to the two houses.

[Adopted February 25, 1887.]

ACTS  
AND  
JOINT RESOLUTIONS  
OF THE  
EXTRA SESSION  
OF THE  
WEST VIRGINIA LEGISLATURE,  
1887.



CHARLESTON  
MOSES W. DONNALLY, PUBLIC PRINTER.  
1887



# PROCLAMATION.

STATE OF WEST VIRGINIA,  
EXECUTIVE DEPARTMENT,  
CHARLESTON, March 5th, 1887. }

I, E. W. Wilson, Governor of the State of West Virginia, under and by virtue of section seven, of Article VII. of the Constitution of said State, which provides that,

“The Governor may, on extraordinary occasions convene, at his own instance, the Legislature; but when so convened it shall enter upon no business except that stated in the proclamation by which it was called together.”

Do issue this my proclamation to convene the Legislature of said State, at the Seat of Government at Charleston, on the

THIRD WEDNESDAY IN APRIL, A. D., 1887.

to consider and act upon the following subjects of Legislative business, to-wit:

I. To make appropriations of public money to pay general charges upon the treasury.

II. To make appropriations of public money to pay members of the Legislature, and for salaries of the officers of the government, in pursuance of the forty-second section of the sixth Article of the Constitution.

III. To protect the public treasury against unnecessary expenditures by

1. Regulating the costs, charges and proceedings, in criminal cases before Justices of the Peace and Circuit Courts.

2. Providing for, and limiting the allowances for the maintenance of lunatics in jail.

IV. To carry into effect section 9, of Article XI. of the Constitution, which provides that,

“Railroads heretofore constructed, or that may hereafter be constructed in this State, are hereby declared public highways and shall be free to all persons for the transportation of their persons and property thereon, under such regulations as shall be prescribed by law; and the Legislature shall, from time to time, pass laws, applicable to all railroad corporations in the State, estab-

lishing reasonable maximum rates of charges for the transportation of passengers and freights, and providing for the correction of abuses, the prevention of unjust discriminations between through and local or way freights and passenger tariffs, and for the protection of the just rights of the public; and shall enforce such laws by adequate penalties."

And to provide for securing such relief to the people of this State, as may be had from the Act, recently passed by Congress, entitled, "An Act to Regulate Commerce."

V. To prohibit railroad companies from carrying or conveying public officers over their roads, free of charge, or at a less charge than the usual rate for other persons, and to abolish absolutely, the free pass system.

VI. To prohibit railroad companies from carrying or conveying delegates to political conventions over their roads free of charge, or at a less charge than is made for all other such delegates to such conventions, and to define what shall constitute a political convention.

VII. To prohibit the use of money and all other improper, fraudulent and corrupt means to secure nominations, by political parties, or election to, public office.

VIII. To provide for the acceptance and confirmation of the reports of the joint boundary commission on the boundary lines between West Virginia and Pennsylvania.

IX. To provide for establishing the boundary line between West Virginia and Maryland.

X. To provide for establishing the boundary line between West Virginia and Virginia.

XI. For the Senate to act upon Executive nominations for office.

In testimony whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State,  
 [G. S.] at Charleston, this 5th day of March, in the year of our Lord, one thousand eight hundred and eighty-seven, and of the State, the twenty fourth.

E. W. WILSON.

By the Governor,

HENRY S. WALKER,

*Secretary of State.*

# ACTS OF 1887.

## EXTRA SESSION.

---

### CHAPTER I.

AN ACT to confirm and establish a part of the boundary line between the State of West Virginia and the State of Maryland.

[Passed May 3, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That the boundary line as run and marked by N. Micheler, U. S. engineer, in the year one thousand eight hundred and fifty-nine, under the direction of A. W. McDonald, commissioner on the part of Virginia and Thomas J. Lee, commissioner on the part of Maryland, from the Fairfax stone to the Pennsylvania line, between the county of Preston, West Virginia, and the county of Alleghany, now Garrett, Maryland, be and the same is hereby approved and confirmed as the true boundary line between the State of West Virginia and the State of Maryland.

Part of the boundary line between West Va. and Maryland established.

2. But this act shall not take effect until and unless the State of Maryland shall pass an act or acts confirming and rendering valid all entries, grants, patents and titles from the commonwealth of Virginia, to any person or persons, to lands situate and lying between the new Maryland line hereby established and the old Maryland line heretofore claimed by Virginia and West Virginia, to the same extent and like legal effect, as though said

What action on part of Maryland necessary to put this act into effect.

old Maryland line were hereby confirmed and established.

[Approved May 6, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER II.

AN ACT to provide for the acceptance and confirmation of the reports of the joint boundary commission of the boundary lines between West Virginia and Pennsylvania.

[Passed May 3, 1887.]

Preambles reciting the action of the commission appointed to establish the boundary line between West Va. and Pennsylvania.

WHEREAS, A commission, composed of Joseph C. Gist, John J. Chipley and Francis L. Hoge, was appointed by the governor of West Virginia, under and by virtue of an act of the legislature of said state, passed March tenth, one thousand eight hundred and seventy-nine, to act in conjunction with a similar commission of the state of Pennsylvania in examining as to the true location of the monuments which mark the boundary line between the state of West Virginia and the state of Pennsylvania, and in connection with said commission of the said state of Pennsylvania to replace any monuments that have been removed or have become misplaced or dilapidated on the boundary line of said state, and to erect such other suitable monuments along said boundary line, when determined, as shall be sufficient to properly mark the same; and

WHEREAS, From a partial report duly made by said commission, in conjunction with a like commission upon the part of the state of Pennsylvania, to the secretary of state, bearing date of one thousand eight hundred and eighty-three, and from a final report duly made by said commission jointly, to the secretary of state, bearing date October sixteenth, one thousand eight hundred and eighty-six, both of which reports have been transmitted to the legislature, together with the field notes

of survey and accurate maps and drafts of said boundary line, it appears that said commission upon the part of the State of West Virginia, and said commission upon the part of the State of Pennsylvania, duly empowered so to do, have re-surveyed said boundary line, examined as to the true location of the monuments which mark the same, and have erected suitable monuments along said boundary line sufficient to properly mark the same, and when the boundary line was along a public highway, the commissioners have placed index monuments at recorded distances from the true line upon the side of said highway; and

WHEREAS, Said boundary line is now accurately marked and described in said reports, and the field notes and maps, accompanying same; therefore,

Be it enacted by the Legislature of West Virginia :

1. That said boundary line, as marked by the said commissioners, and set forth in their reports, field notes and maps, is hereby accepted, approved and confirmed by the State of West Virginia as the true boundary line between the State of West Virginia and the State of Pennsylvania. Boundary line established by commission, confirmed.
2. That the secretary of state is hereby required and directed to carefully preserve in his office the reports of the joint commission, field notes and maps, and to cause one thousand copies of said reports, field notes and maps, together with the laws of West Virginia and Pennsylvania, creating and instructing their respective commissions, as well as this act, to be published and bound in cloth, for distribution, five copies whereof shall be delivered to each member of the present legislature, and the cost of printing and binding the same to be paid for out of the appropriations made for public printing and binding for the state. Duty of Secretary of State as to report, maps, etc. To be printed for distribution. Cost of printing, etc., how paid.

[Approved May 6, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.



## CHAPTER III.

AN ACT to amend and re-enact section thirty-five, of chapter fifty-eight, of the Code of West Virginia, as amended and re-enacted by chapter thirty-nine of the acts of one thousand eight hundred and eighty-three.

[Passed May 3, 1887.]

Be it enacted by the Legislature of West Virginia :

Acts 1883,  
chapter 39,  
amended.

1. That section thirty-five of chapter fifty-eight, of the Code of West Virginia, as amended and re-enacted by chapter thirty-nine, of the acts of one thousand eight hundred and eighty-three, be and the same is hereby amended and re-enacted so as to read as follows :

Insane persons ; allowance to jailers for maintenance of, by whom fixed ; amount for clothing.

Certificate required before such allowance is paid ; what to contain.

35. The allowance to the jailer for the maintenance and care of a lunatic, shall be fixed by the court in whose jail he is confined, but shall not exceed sixty cents a day ; except in special and extraordinary cases the court may allow a larger sum not exceeding one dollar. No more shall be allowed for his clothing than thirty dollars a year. No such allowance shall be audited and paid, unless it appear in the certificate of it that the jailer proved to the court that, immediately after the commitment of the lunatic, and at least once in every twenty days thereafter, application was made to the board of directors of the hospital for admission, and that such application was refused for want of room, or that such applications were not continued because the admission of the lunatic had been refused for some other cause than the want of room, and it further appears in such certificate that the jailer complied in due time with the provisions of section thirty one of this chapter.

[Approved May 6, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER IV.

AN ACT to amend and re-enact sections two and twelve, of chapter one hundred and fifty-six, of the code of West Virginia, as amended and re-enacted by chapter seventy-nine, of the acts of one thousand eight hundred and eighty-two.

[Passed May 6, 1887.]

Be it enacted by the Legislature of West Virginia .

1. That sections two and twelve, of chapter one hundred and fifty-six, of the code of West Virginia, as amended and re-enacted by chapter seventy-nine, of the acts of one thousand eight hundred and eighty-two, be amended and re-enacted so as to read as follows:

Sections 2 and 12, chapter 70, acts 1882, amended.

2. On complaint, to any such officer of a criminal offense, he shall examine, on oath, the complainant and any other witnesses, and if he see good reason to believe that an offense has been committed, shall issue his warrant reciting the accusation, and requiring the person accused to be arrested and brought before a justice of the county; and in the same warrant may require the officer to whom it is directed to summon such witnesses, as shall be therein named, to appear and give evidence on the examination.

Proceedings of judge or justice on criminal complaint.

But compensation shall in no case be allowed to more than five witnesses, on behalf of the state, upon examinations before justices of persons charged with felony. *Provided*, That compensation to a greater number, not exceeding ten in all, may be allowed upon certificate of the prosecuting attorney that he has inquired into the case and finds such greater number necessary.

Not more than five witnesses for the State to be paid. Exception.

12. The justice before whom any person is brought for an offense, if demanded by such person, shall, as soon as may be, in the presence of such person, examine, on oath, the witnesses for and against him, and he may be assisted by counsel.

Examination of witnesses for and ag'nst accused when demanded.

[Approved May 9, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER V.

AN ACT to establish a boundary line between the States of West Virginia and Virginia, and appropriating money to pay expenses of the same.

[Passed May 6, 1887.]

Be it enacted by the Legislature of West Virginia :

Boundary monuments between a portion of West Va. and Virginia ) commissioners to be appointed to examine as to location of.

Commission to replace monuments.

Commission to establish and mark true line.

Compensation.

Appropriation to pay expenses.

How drawn.

Commission, how to report.

Duty of Secretary of State as to report.

Full report, when made and what to contain.

What action on part of Virginia necessary before any expenses to be incurred.

1. That as soon as practicable, after the passage of this act, it shall be the duty of the board of public works to appoint three persons, to be commissioned to act in conjunction with a similar commission of the State of Virginia, to examine as to the true location of the monuments which mark the boundary line, along the border of Monroe and Hardy counties only, between this State and the State of Virginia, and, in connection with said commission of said State of Virginia, to replace any monuments which have become dilapidated, or been removed on the boundary line of said counties, and to establish a true boundary between said states, along the boundary line of said counties, and carefully mark said line. Said commissioners shall receive three dollars per day, and expenses, for each day when employed in prosecuting said work.

2. The sum of one thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the expenses of renewing and replacing said monuments, establishing said line, and for contingent expenses. The money hereby appropriated shall be drawn upon the order of the governor.

3. Said commission shall make report to the secretary of state, on the progress of the work, with an account of all expenditures, which shall be transmitted by said secretary of state to the legislature at its next session ; and said commission shall, on completion of said work, prepare and file in the secretary of state's office, a full report of their proceedings, accompanied by such maps, or drafts, as may be necessary for a clear understanding of the same. But no money shall be paid said commissioners under this act, or any expenses incurred by them, before the State of Virginia shall by law have appointed a similar commission with like powers, and such commissioners shall have agreed

with the commissioners of this state to act in conjunction with them.

[Approved May 9, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER VI.

AN ACT to amend and re-enact sections one, three, four and eight, of chapter one hundred and fifty-nine, of the Code, as amended and re-enacted by chapter one hundred and twenty-two, of the acts of one thousand eight hundred and eighty-two.

[Passed May 7, 1887]

Be it enacted by the Legislature of West Virginia:

1. Sections one, three, four and eight, of chapter one hundred and fifty-nine, of the code, as amended and re enacted by chapter one hundred and twenty-two, of the acts of one thousand eight hundred and eighty two, is hereby amended and re-enacted, so as to read as follows:

Sec tions 1, 3, 4  
and 8 of Chapter  
159, of Code, as  
amended by  
chapter 122,  
acts 1882,  
amended.

1. When an indictment is found in the circuit court of any county against a person for a felony, the accused, if in custody, or if he appear in discharge of his recognizance or voluntarily, shall, unless good cause be shown for a continuance, be tried at the same term. If any witness for the accused be a non-resident of the State, or absent therefrom in any service or employment, so that service of a subpoena can not be had upon him in this State, or is aged or infirm so that he can not attend upon the court at the trial, the accused may present to the court in which the case is pending, or to the judge thereof in vacation, an affidavit showing such facts, and stating therein what he expects to prove by any such witness, his name, residence, or place of service and employment, and if such court or judge be of the opinion, that the evidence of any such witness, as stated in such affidavit, is necessary and mate-

When person  
indicted for  
felony to be  
tried.

Depositions of  
witnesses for  
accused; may  
be taken,  
when.

Affidavit to be  
filed by ac-  
cused; what  
to show.

Notice to prosecuting attorney.

Cross-examination on behalf of state.

Expense of; how paid.

When and to what extent deposition to be read.

Accused allowed counsel; copy of indictment, etc., to be furnished without fee.

rial to the defense of the accused on his trial, an order may be made by such court or judge for the taking of the deposition of any such witness, upon such notice to the prosecuting attorney, of the time and place of taking the same, as the court or judge shall prescribe; and in such order the court or judge may authorize the employment of counsel, practicing at or near the place where the deposition is to be taken, to cross-examine the witness on behalf of the State, the reasonable expense whereof shall be paid out of the treasury of the State, upon certificate of the court wherein the case is pending. Every deposition so taken, may, on motion of the defendant, so far as the evidence therein contained is competent and proper, be read to the jury on the trial of the case, as evidence therein. The accused shall be allowed counsel if he desire it to assist him in his defense, and a copy of the indictment, and of the list of the jurors selected or summoned for his trial, as provided in the third section of this chapter, shall be furnished him, without fee, upon his request, at any time before the jury is empaneled.

In case of felony; jury panel, of how many to consist and how constituted.

Panel, how reduced to twelve. Proviso.

If accused fail to strike, how reduced.

3. In case of felony twenty jurors shall be drawn from those in attendance for the trial of the accused. If a sufficient number of jurors for such panel can not be procured in this way, the court shall order others to be forthwith summoned and selected, until a panel of twenty jurors free from exception be completed, from which panel the accused may strike off six jurors and the prosecuting attorney may strike off two jurors; *Provided*, that in the trial of indictments for felony committed before this act takes effect, the accused shall have the right to strike off eight jurors from such panel. The prosecuting attorney shall first strike off two jurors, and then the accused six. If the accused fail to strike from said panel the number of jurors this act allows him to strike, the number not stricken off by him shall be stricken off by the prosecuting attorney, so as to reduce the panel to twelve, who shall compose the jury for the trial of the case.

No other challenges except for cause.

4. No challenge of a juror other than that provided for in the preceding section shall be allowed the State or accused, except for cause, and all challenges shall be tried by the court in which they are made.

Jury in case of persons tried jointly; how panel reduced to twelve.

8. Persons indicted and tried jointly, for felony, shall be allowed to strike from the panel of jurors not more than six thereof, and only such as they all agree upon shall be stricken therefrom; and if they can not agree upon the names to be so stricken off, the prosecuting

attorney shall strike therefrom a sufficient number of names to reduce the panel to twelve. If persons jointly indicted elect to be, or are, tried separately, the panel in the case of each shall be made up as provided in the third section of this chapter.

Where they cannot agree; what then. If tried separately, how panel made up.

[Approved May 9, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

## CHAPTER VII.

AN ACT requiring clerks of circuit courts to report to the auditor all claims allowed and certified for payment out of the state treasury.

[Passed May 7, 1887.]

Be it enacted by the Legislature of West Virginia :

1. That it shall be the duty of the clerk of the circuit court for each county, in addition to the reports of fines, jurors and witnesses otherwise provided for by law, to transmit to the auditor, within thirty days after the adjournment of each term of court, a report of all claims allowed and certified by such court, for payment out of the state treasury. Said report shall show in whose favor the claim is allowed, for what purpose and the amount thereof.

Clerks circuit courts to report to auditor all state claims certified by court for payment; when.

2. It shall be the duty of the auditor to furnish the clerk with blank forms for said reports, and when made out and returned to the auditor he shall cause the same to be recorded in a book to be kept by him for that purpose.

Duty of auditor as to such reports.

3. If any clerk or the auditor fail to perform any duty required in this chapter he shall forfeit one hundred dollars.

Penalty for failure.

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act was passed over the governor's veto, by the required constitutional vote, and takes effect at the expiration of ninety days after its passage.

## CHAPTER VIII.

AN. ACT making appropriations of public money to pay members of the legislature, and for salaries of the officers of the government, in pursuance of the forty-second section of the sixth article of the constitution.

[Passed May 7, 1887.]

Be it enacted by the Legislature of West Virginia :

Appropriations to pay members, etc., of the legislature, officers of the government, etc.

1. There shall be and are hereby appropriated, for the fiscal year ending September thirtieth, one thousand eight hundred and eighty-seven, the following sums for pay of members and officers of the legislature, and for salaries of the officers of the government :

## LEGISLATIVE DEPARTMENT.

*Senate.*

Mileage of Senators.

To pay for mileage allowed to members of the senate, for the session commencing on the twelfth day of January, one thousand eight hundred and eighty-seven, the sum of one thousand and seventeen dollars and sixty cents.

Per diem of Senators.

To pay per diem compensation of the twenty-six members of the senate, from the twelfth day of January to the twenty-fifth day of February, one thousand eight hundred and eighty-seven, four thousand seven hundred and seventy dollars.

Per diem of officers, clerks, etc. Clerk.

To pay per diem compensation of the officers, clerks of committees, that is to say :

To the clerk of the senate, five hundred and fifty dollars.

Assistants.

To three assistant clerks of the senate, seven hundred and fourteen dollars.

Committee clerks.

To four committee clerks, seven hundred and twenty dollars.

Pages.

To five pages, three hundred and eighty-four dollars.

Sergeant-at-arms.

To the sergeant-at arms, two hundred and twenty-five dollars.

Door-keeper.

To the doorkeeper, one hundred and eighty dollars.

*House of Delegates.*

Mileage of delegates.

To pay mileage of the sixty-five members of the house of delegates, for the session commencing on the twelfth day of January, one thousand eight hundred

and eighty-seven, the sum of two thousand four hundred and forty-eight dollars and eighty cents.

To pay per diem compensation of the members of the house of delegates, from the twelfth day of January to the twenty-fifth day of February, one thousand eight hundred and eighty-seven, eleven thousand seven hundred and ninety dollars. Per diem of delegates.

To pay per diem compensation of the officers, clerks of committees and pages, as follows: Officers, etc., of house.

Clerk of house of delegates, five hundred and fifty dollars. Clerk.

To pay for deficiency due the clerk of the house of delegates from last session, including interest, one hundred and five dollars and twenty-two cents. Deficiency due clerk.

To four assistant clerks, one thousand and eighty dollars. Assistants.

To six committee clerks, one thousand and eighty dollars. Committee clerks.

To the sergeant-at-arms, two hundred and twenty-five dollars. Sergeant-at-arms.

To the door-keeper, one hundred and eighty dollars. Door-keeper.

To the cloak-room keeper, one hundred and thirty-five dollars. Cloak-room keeper.

To pay six pages, five hundred and forty dollars. Pages.

#### EXTRA SESSION, 1887.

To pay mileage and compensation of senators, delegates, and compensation of the officers, attaches, clerks of committees and pages of the senate and house of delegates, for the extra session beginning April 20, 1887, such sum is hereby appropriated as may be necessary for the purpose. To pay mileage and per diem of senators, delegates, etc., for extra session.

#### EXECUTIVE DEPARTMENT.

To pay salary of the governor, two thousand seven hundred dollars. Salary of governor.

To pay salary of the auditor, two thousand dollars. Auditor.

To pay salary of the secretary of state, one thousand dollars. Secretary of state.

To pay salary of the treasurer, one thousand four hundred dollars. Treasurer.

To pay salary of the attorney-general, one thousand three hundred dollars. Attorney general.

#### *State Superintendent of Schools.*

To pay salary of state superintendent of free schools, to be paid out of the general school fund, one thousand five hundred dollars. Superintendent schools.



*Librarian.*

Librarian, etc. To pay salary of adjutant-general and ex officio librarian and superintendent of weights and measures, one thousand two hundred dollars.

*Keeper of Rolls.*

Keeper of rolls. To pay salary of the keeper of rolls, three hundred dollars.

W. P. Adams. To pay W. P. Adams, N. P., for swearing in members of the legislature, seventeen dollars and fifty cents.

*Janitor.*

Janitor. To pay salary of janitor, one thousand dollars.

## JUDICIAL DEPARTMENT.

Judges court of appeals. To pay salaries of judges of the supreme court of appeals, eight thousand eight hundred and fifty dollars.

Circuit judges. To pay salaries of judges of the circuit court, twenty-five thousand two hundred dollars.

Special judges. To pay compensation allowed by law to persons who hold the courts where the judges of the circuit court cannot act, one thousand eight hundred dollars.

Mileage of judges. To pay mileage of judges of the supreme court of appeals, seven hundred and fifty dollars.

Mileage of judges. To pay mileage of judges of the circuit courts, one thousand eight hundred dollars.

Salary clerk supreme court. To pay salary of the clerk of the supreme court of appeals, one thousand dollars.

Appropriation for fiscal year 1888. 2. Be it further enacted, That there shall be and is hereby appropriated, for the fiscal year ending September thirtieth, one thousand eight hundred and eighty-eight, the following sums, for salaries of the officers of the government :

## EXECUTIVE DEPARTMENT.

Salary of governor. To pay salary of the governor, two thousand seven hundred dollars.

Auditor. To pay salary of the auditor, two thousand dollars.

Secretary of state. To pay salary of the secretary of state, one thousand dollars.

Treasurer. To pay salary of the treasurer, one thousand four hundred dollars.

Attorney general. To pay salary of the attorney-general, one thousand three hundred dollars.

*State Superintendent of Schools.*

To pay salary of state superintendent of free schools, Superintendent schools. to be paid out of the general school fund, one thousand five hundred dollars.

*Librarian.*

To pay salary of adjutant-general and ex-officio librarian and superintendent of weights and measures. Librarian, etc. one thousand two hundred dollars.

*Keeper of the Rolls.*

To pay salary of the keeper of the rolls, three hundred dollars. Keeper of rolls.

*Janitor.*

To pay salary of janitor, one thousand dollars. Janitor.

JUDICIAL DEPARTMENT.

To pay salaries of the judges of the supreme court of appeals, eight thousand eight hundred and fifty dollars. Judges supreme court.

To pay salaries of judges of the circuit courts, twenty-five thousand two hundred dollars. Judges circuit courts.

To pay compensation allowed by law to persons who hold the courts where the judges of the circuit court cannot act, one thousand eight hundred dollars. Special Judges.

To pay mileage of judges of the supreme court of appeals, seven hundred and fifty dollars. Mileage of judges.

To pay mileage of judges of the circuit courts, one thousand eight hundred dollars. Mileage of judges.

To pay salary of clerk of the supreme court of appeals, one thousand dollars. Clerk of supreme court.

3. The auditor is hereby authorized and directed, when properly demanded, to issue his warrant on the treasury in the same manner he would be required to, if each item of expenditure were directed to be paid to a creditor by name; and no money shall be drawn from the treasury for the purpose herein named, during the fiscal years ending September thirtieth, one thousand eight hundred and eighty-seven and one thousand eight hundred and eighty-eight, respectively, beyond the amount hereby appropriated, unless the same is authorized by the constitution or some general law. Auditor authorized to pay.

But the auditor may draw his warrants on the treasury in favor of the several officers whose salaries and compensation are provided for by this act, for services No money to be drawn beyond appropriation, unless, etc. rendered, etc. Auditor may pay salaries of certain officers for services actually rendered, etc.

actually rendered by them during the first six months of the fiscal year beginning on the first day of October, one thousand eight hundred and eighty-nine, for an amount not to exceed in the aggregate one-half of the sum appropriated for the salary or compensation of such officers, respectively, for the year ending September thirtieth, one thousand eight hundred and eighty-eight.

[Approved May 9, 1887.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

## CHAPTER IX.

AN ACT making appropriations of public money to pay general charges upon the treasury.

[Passed May 7, 1887.]

Be it enacted by the Legislature of West Virginia :

Appropriations for fiscal year ending September 30, 1887.

1. There shall be and are hereby appropriated, out of the state fund for the fiscal year ending September thirtieth, one thousand eight hundred and eighty-seven, the following sums for the purposes as follows:

### *Penitentiary.*

Salary of Superintendent.

For salary of the superintendent, one thousand five hundred dollars.

Salary of clerk.

For salary of clerk, six hundred dollars for the duties belonging to his office at the time the office was created, and the further sum of four hundred dollars for the additional duties now attached to the office by reason of the abolition of the office of commissary.

Physician.

For salary of physician, five hundred dollars.

Chaplain.

For salary of chaplain, one hundred and fifty dollars.

Deficiency.

For estimated deficiency in ordinary expenses, five thousand dollars.

Renewing conductors.

For renewing conductors, one hundred and eighty dollars.

Repairs to water works.

For repairs to water works, five hundred dollars.

For steam and water pipes, two hundred and fifty dollars. Steam and water pipes.

For drain pipes, two hundred dollars. Drain pipes.

For new mess hall and hospital, two thousand dollars. New mess hall.

For new iron roof on cell building, two thousand dollars. Iron roof.

For flooring of engine house, twenty-five dollars. Flooring engine house.

For ventilating cell building, one thousand dollars. Ventilation.

The foregoing appropriations for the penitentiary are to be drawn from the treasury, upon requisition of the board of directors, addressed to the auditor, as the same may be required. *Provided*, That only the reasonable expenses incurred by said directors in discharging their duties as such, and four dollars a day for each day they may be employed as such, shall be allowed, an itemized account of which shall be filed among the records of the penitentiary, and no mileage shall be allowed or paid to them. How drawn and paid.

*Provido as to compensati'n of directors.*

*Criminal Charges.*

For criminal charges, ninety thousand dollars. Criminal charges.

*Lunatics in Jail.*

For support of lunatics in jail, twenty thousand dollars. Lunatics in jails.

*Normal Schools.*

For the support of the normal school and its branches, thirteen thousand two hundred dollars. To be paid according to the provisions of section ninety-six, of chapter forty five, of the code, as amended and re enacted by chapter fifteen, of the acts of one thousand eight hundred and eighty-one, and as further amended and re-enacted by chapter thirty-seven, of the acts of one thousand eight hundred and eighty-seven. The residue named in the ninety-seventh section of said chapter forty five, as amended by chapter thirty-seven, of the acts of one thousand eight hundred and eighty-seven, is hereby appropriated, payable on the order of the regents of such schools, being included in said thirteen thousand two hundred dollars. Support of normal schools.

How paid.

Residue named in chapter 45, acts 1887; how paid.

For traveling expenses of the regents for the year one thousand eight hundred and eighty-seven, three hundred dollars, payable on the order of the board of regents. *Provided*, That only the reasonable expenses incurred by said regents in discharging their duties as such, and four dollars a day for each day they may be employed as such, shall be allowed, an itemized account of which shall be filed among the records of the nor-

Regents; traveling expenses of; how paid.

Provido as to compensati'n, etc., of regents.

mal schools, and no mileage shall be allowed or paid to them.

Marshall Col-  
lege; repairs,  
contingent  
expenses, etc.

B. H. Thax-  
ton.

Shepherd  
College; appa-  
ratus, repairs,  
ect.

Glenville nor-  
mal school.

Concord nor-  
mal school.

West Liberty  
normal  
school.

Fairmont  
normal  
school.

Deficiency.

Repairs.

Apparatus,  
etc.

How paid.

For repairs, contingent expenses, apparatus and furniture at Marshall college, one thousand seven hundred and fifty dollars.

To pay B. H. Thaxton for services as principal of Marshall college for the years one thousand eight hundred and eighty one and eighty-two, fifty-two dollars and eighty cents.

For library and class room apparatus, repairs and improvements at Shepherd college, three hundred dollars.

For furniture and improvements at Glenville normal school, two thousand dollars.

For finishing two rooms, additional work on building, for library, apparatus, repairs, well, stone steps, grading, bell and clock at Concord normal school, one thousand seven hundred and twenty-six dollars.

For repairs and apparatus at the West Liberty normal school, four hundred and fifty dollars.

For the Fairmont normal school, for deficiency in last year's appropriation, three hundred and seventy-eight dollars and twenty-five cents. For repairs to same school, two hundred and twenty-one dollars and seventy-five cents. For cases and apparatus for same school, four hundred dollars.

The foregoing appropriations for normal schools, so far as they do not relate to salaries of teachers and traveling expenses of the regents, are to be drawn by, and expended under the control and direction of, the executive committee of the various schools.

### *The University.*

Expenses of  
regents.

Provido as to  
compensati'n  
of regents.

Current ex-  
penses, etc.

Salaries of  
instructors.

Library.

Deficiency.

For the expenses of the regents of the West Virginia university, seven hundred dollars. *Provided*, That only the reasonable expenses incurred by said regents in discharging their duties as such, and four dollars a day for each day they may be employed as such, shall be allowed, an itemized account of which shall be filed among the records of the university, and no mileage shall be allowed or paid to them.

For current and contingent expenses of the university, four thousand dollars.

For salaries of instructors at the university, fourteen thousand five hundred dollars.

For library at the university, three hundred dollars.

For deficiency last year for payment of salary of president, from July first, one thousand eight hundred and eighty-five, three thousand four hundred and thirty-six dollars.

For repairs and improvements at the university, five hundred dollars. Repairs, etc.

For purchase of chemicals and apparatus, to enable the professor of chemistry to carry into effect section three, of chapter twenty-five, of acts of one thousand eight hundred and seventy-nine, three hundred dollars. Chemicals, apparatus, etc.

The foregoing appropriations for the university to be drawn from the treasury upon the orders of the executive committee addressed to the auditor. How drawn and paid.

*Institution for the Deaf, Dumb and Blind.*

For the current expenses of the institution for the deaf, dumb and blind, twenty-five thousand dollars. Current expenses.

For the transportation of indigent pupils, eight hundred dollars. Transportation.

The foregoing appropriations for the institution for the deaf, dumb and blind, to be drawn from the treasury upon the orders of the board of directors addressed to the auditor. *Provided*, That only the reasonable expense incurred by said regents in discharging their duties as such, and four dollars a day for each day they may be employed as such, shall be allowed, an itemized account of which shall be filed among the records of the said institution, and no mileage shall be allowed or paid to them. How drawn. Proviso as to compensation etc., of regents.

*Hospital for the Insane.*

For current expenses of the hospital for the insane, one hundred thousand dollars. *Provided*, That only the reasonable expenses incurred by the board of directors of the hospital for the insane in discharging their duties as such, and four dollars a day for each day they may be employed as such, shall be allowed, an itemized account of which shall be filed among the records of the said hospital, and no mileage shall be allowed or paid to them. Current expenses. Proviso as to compensation etc., of directors.

For transportation of patients, three thousand five hundred dollars. Transportation.

For repairs in engineer's, carpenter's and farming departments, three thousand five hundred dollars. Repairs.

For furnishing fund, one thousand dollars. Furnishing fund.

For furniture, bedding, including the new brick annex, four thousand dollars. Furnishing; annex.

For repairs to coping, spouting, etc., eight hundred dollars. Repairs.

For library and for instruments, one hundred dollars. Library, etc.

For new green house and furnishing same, six hundred dollars. Green house.

**Bath rooms.** For putting in cement floors, in bath rooms in male ward, fifteen hundred dollars.

**Appropriations for new building; how paid.** For the erection of a suitable and substantial brick building on the grounds of, and as an addition to, the hospital for the insane, at Weston, West Virginia, the same to cost not more than twenty thousand dollars, ten thousand dollars of which is hereby appropriated.

**Cow stable.** For building cow stable, five hundred dollars.

**How drawn.** The foregoing appropriations for the hospital for the insane to be drawn from the treasury upon the order of the board of directors, addressed to the auditor, at the beginning of each month, in such amounts as may be then needed.

**Appropriation for second hospital at Spencer; how drawn and expended.** For the construction of a second hospital for the insane, at Spencer, in the county of Roane, ten thousand dollars, to be paid out of the revenues of 1888, and to be expended by, and under the direction of the board of public works, but no part of the amount hereby appropriated shall be expended, until the county court of Roane county shall make or cause to be made a deed, free of costs, to the state of West Virginia to the tract or parcel of land mentioned in exhibit "D," of the report of the commissioners appointed to select a location for a second hospital for the insane.

**Action on part of county court, Roane county, before any expenditure to be made.** For the construction of a second hospital for the insane, at Spencer, in the county of Roane, ten thousand dollars, to be paid out of the revenues of 1888, and to be expended by, and under the direction of the board of public works, but no part of the amount hereby appropriated shall be expended, until the county court of Roane county shall make or cause to be made a deed, free of costs, to the state of West Virginia to the tract or parcel of land mentioned in exhibit "D," of the report of the commissioners appointed to select a location for a second hospital for the insane.

### *Contingent Legislative Expenses.*

**Senate.** For contingent expenses of the senate, one thousand five hundred dollars, out of which shall be paid the expenses of the special committee appointed by the senate to investigate certain charges of bribery, to be paid on the order of the chairman of said committee.

**Expenses investigating committee.**

**House.** For contingent expenses of the house of delegates, two thousand five hundred dollars.

**Janitor.** To pay compensation allowed by law to janitor for his services during the regular session of the legislature, one hundred and thirty-five dollars.

**Extra labor.** To pay Janitor for extra labor, hired during the regular session of the legislature, two hundred and seventy dollars.

**Compensation extra session.** To pay compensation allowed the janitor by law for his services during the extra session, beginning April 20, 1887, at the rate of three dollars per day, and to pay the janitor for extra labor hired during said extra session at the rate of six dollars per day, such sum is hereby appropriated as may be necessary for the purpose.

### EXECUTIVE DEPARTMENT.

**Contingent fund.** For civil contingent fund, eight thousand dollars.

For contingent expenses of auditor's office and pay of extra clerks, two thousand dollars. Auditor's office.

For contingent expenses of the treasurer's office, and pay of extra clerks, five hundred dollars. Treasurer's office.

For contingent expenses of the secretary of state's office, one thousand dollars. Secretary of state.

For contingent expenses of attorney-general's office, two hundred dollars. Attorney general.

For contingent expenses of adjutant-general's office, one hundred and fifty dollars. Adjutant general.

For contingent expenses of state librarian, one hundred dollars. Librarian.

The foregoing appropriations to be drawn from the treasury, upon the orders or requisitions of the officers to whom said funds are respectively appropriated, who shall render a detailed account at each meeting of the legislature of the funds so expended. How drawn.

### *Salaries of Clerks.*

To pay salary of private secretary to the governor, one thousand dollars. Private secretary of governor.

To pay salary of clerk to the secretary of state, one thousand two hundred dollars. Clerk secretary of state.

To pay salary of second clerk to the secretary of state, one thousand dollars. Second clerk secretary state.

To pay salary of clerk in treasurer's office, one thousand and two hundred dollars. Clerk of treasurer.

To pay salaries of clerks in the auditor's office, six thousand dollars. Clerks auditor's office.

To pay salary of clerk in the attorney-general's office, one thousand dollars. Clerk attorney general.

To pay salary of clerk in the office of state superintendent of free schools, to be paid out of the general school fund, one thousand two hundred dollars. Clerk superintendent schools.

To pay salary of second clerk in the office of state superintendent of free schools, to be paid out of the general school fund, eight hundred dollars. Second clerk, superintendent schools.

### *Capitol Building.*

For contingent repair and supply fund, one thousand dollars, to be expended upon the order of the board of public works. Repair and supply fund.

For repairs and additions to capitol building, draining, paving and other expenses, to be drawn upon the order of the board of public works, the sum of twenty-seven thousand six hundred and sixty dollars and four cents. Additions, repairs, etc.

For improving capitol building, grounds, clock, plumbing, building fence, &c., five thousand five hundred dollars. Improving grounds, etc.



dred dollars, to be expended under the direction and payable on the order of the board of public works.

Security  
against fire.

For necessary apparatus, to be provided by the board of public works, for security of the capitol building against fire, four hundred and eighteen dollars and seventy-five cents.

#### JUDICIAL DEPARTMENT.

Contingent  
expenses.

For contingent expenses of the supreme court of appeals, one thousand eight hundred dollars.

Contingent  
expenses.

For contingent expenses of circuit courts, five hundred dollars.

Printing, etc.,  
reports.

For printing and binding the supreme court reports, three thousand dollars.

#### *Overpaid Taxes.*

Refunding  
overpaid tax-  
es; how paid.

For refunding overpayments made at the treasury, on account of taxes, licenses, fines and commissions, to be paid out of the fund into which they were paid, two thousand dollars.

#### *Erroneous Assessments.*

Refunding  
taxes errone-  
ously assess'd.

For refunding taxes erroneously assessed, collected and paid into the treasury, to be paid out of the fund into which the taxes were paid, five hundred dollars.

#### *County and District Taxes.*

Refunding  
county and  
district taxes.

For refunding to counties, county and district taxes, paid into the treasury for the redemption of lands, such amount is hereby appropriated as will be necessary to refund to the counties, entitled thereto, the taxes so paid into the treasury.

Refunding to  
counties etc.,  
railroad tax-  
es.

For refunding county, district and municipal taxes, paid into the treasury by railroad companies, such sum is hereby appropriated, as will be necessary, to refund to each county, district and municipal corporation, the amount of such taxes as may be paid into the treasury, to the credit of such county, district or municipal corporation.

#### *Public Printing.*

Printing and  
binding.

For public printing and binding, fourteen thousand dollars.

Stationery.

For supplying stationery and printing paper for state use, including the office of superintendent of free schools, eleven thousand five hundred dollars.

For deficiency in stationery and printing paper ac- Deficiency.  
count, eight thousand dollars.

For interest on overdue account for stationery, due Interest.  
W. J. C. Dulany & Co., six hundred and eighty-six dol-  
lars and thirty-eight cents.

*Civil Suits.*

For expenses in civil suits and pay of state agents, Expenses in  
two thousand dollars, the per cent. to be paid out of the civil suits.  
fund collected.

*Vaccine Agents*

To pay vaccine agents, to be drawn upon the order of Pay vaccine  
the governor, three hundred dollars. agents.

*Fish Commissioners.*

To pay expenses of fish commissioners, five hundred Fish commis-  
dollars. sioners.

*Interest.*

To pay interest on money borrowed of the school Interest on  
fund, eleven thousand one hundred and ninety-one dol- money bor-  
lars. rowed.

*Miscellaneous.*

For furniture of supreme court rooms, clerk's offices Furniture, su-  
and judge's rooms, one thousand dollars. preme court  
rooms.

For restoring eagle to the flag of the twelfth regiment Eagle for flag.  
of West Virginia, twenty-five dollars, payable on the  
order of Col. W. B. Curtis, of West Liberty, Ohio  
county.

For carpeting executive offices, consisting of the offices Carpets.  
of attorney-general, auditor, treasurer and secretary of  
state, one thousand five hundred and forty-eight dol-  
lars and ninety cents.

For interest due J. P. Houck, two hundred and six Interest due  
dollars and fifty-five cents. J. P. Houck.

For furniture in auditor's office, eight hundred and Furniture,  
forty-three dollars. auditor's of-  
fice.

For furniture in secretary of state's office, three hun- Secretary of  
dred and seventy-six dollars and ninety cents. state's office.

For balance on furniture in treasurer's office, seventy- Treasurer's  
eight dollars. office.

For additional furniture in office of attorney-general, Attorney gen-  
two hundred and fifty dollars. eral's office.

- Commissioners to locate hospital. For balance due commission to locate the second hospital for the insane, two hundred and twenty-seven dollars and twenty five cents.
- Harman Snyder. For balance of pay due Harman Snyder, member of the legislature in 1885, and interest on same, one hundred and three dollars.
- A. I. Boreman. For balance of attorney's fee to A. I. Boreman, in the case of the appeal of the Baltimore and Ohio Railroad Company, from the assessment for taxation of its property in Wood county, seven hundred and fifty dollars.
- Caldwell & Caldwell. For fee to Caldwell & Caldwell, for legal services, in the cases of the Baltimore and Ohio Railroad Company vs. the board of public works of the State of West Virginia, in the circuit court of Marshall county, the circuit court of the United States, and the supreme court of the United States, two thousand dollars.
- Warth's code. For purchase of sixty-one copies of Warth's code, for the use of the members of the legislature, two hundred and seventy-four dollars and fifty cents.
- Tax commission, report. For balance due W. J. C. Dulany & Co., for printing reports of tax commission, forty-eight dollars and eighty cents.
- C. H. Taney. For amount due Charles H. Taney, for printing tax commission reports, eighteen dollars and twenty-five cents.
- J. M. Mason. For amount due Jas. M. Mason, for printing tax commission reports, forty dollars.
- B. S. Thompson. For balance due B. S. Thompson, assistant clerk of the house of delegates, of the session of 1885, per diem for two days, twelve dollars.
- Mileage to penitentiary committee. For mileage of the committee and clerk for investigating the penitentiary, three hundred and ninety-two dollars.
- Mileage, etc., to witnesses. For mileage and per diem of witnesses for said committee, one hundred and seventy-six dollars and eighty cents.
- W. H. Dorsey. For services of W. H. Dorsey, deputy sheriff of Marshall county, for serving summonses for committee, twelve dollars.
- J. T. Harris. For pay of J. T. Harris, for services as stenographer of said committee, one hundred and ten dollars and sixteen cents.
- State board health. For pay of expenses of state board of health, to be paid upon the order of said board, five hundred dollars.
- Insurance. For payment of insurance on public buildings, five thousand four hundred and twenty dollars.
- A. S. Carder. To pay A. S. Carder, for repairing and varnishing furniture for the senate and house of delegates, one hundred and eighty-nine dollars and fifty cents.
- W. D. Scott. To pay W. D. Scott, on soap account, for senate and

house of delegates, twenty-seven dollars and ninety cents.

To pay George Davis, for cuspidors, for senate and house of delegates, one hundred and eighty-five dollars and twenty-five cents. George Davis.

To pay J. E. Ryan, for glassware and queensware, for senate and house of delegates, forty-four dollars and ninety-five cents. J. E. Ryan.

To pay M. M. Rusk, for three tables for senate and house of delegates, fifty-five dollars. M. M. Rusk.

To pay George T. Barlow, for furniture for house of delegates, three hundred and ninety-nine dollars and fifty cents. G. T. Barlow.

To pay A. P. Rand & Co., for towels and oilcloths for senate and house of delegates, twenty-eight dollars and thirty three cents. Rand & Co.

To pay O. H. Michaelson, for two carpet sweepers, chairs, &c., for senate and house of delegates, one hundred and fifty-three dollars and fifty-five cents. O. H. Michaelson.

To pay J. P. Via, for furniture, locks, knobs, &c., for senate and house of delegates, four hundred and sixty-two dollars and ten cents. J. P. Via.

To pay H. T. Sheffy, for one and one-half dozen towels, for house of delegates, five dollars and twenty-five cents. H. T. Sheffy.

To pay Ed. L. Boggs, for sponges, dusters, brushes, etc., for house of delegates, twenty-six dollars and ten cents. E. L. Boggs.

To pay J. O'Connor, for table and chairs, for senate and house of delegates, fifteen dollars. J. O'Connor.

To pay C. Killinger & Co., for two chair cushions, for house of delegates, four dollars. C. Killinger.

To pay John McGarrell, for baskets, for senate and house of delegates, ninety dollars and fifty cents. J. McGarrell.

To pay Diamond Ice Company, for ice for the legislature for January, twelve dollars. Ice.

To pay Thomas Hayslip, for senate, for overhauling and rehangng window shades, two dollars and twenty-five cents. T. Hayslip.

To pay R. J. Satterthwait, for clock for senate, thirty dollars. Clock.

To pay John F. Bratt, for his loss by reason of selling property which was claimed as exempt for the use of the state, pursuant to an execution of court, and under instructions of the attorney general and prosecuting attorney of Preston county, ninety-six dollars and seventy-nine cents. J. F. Bratt.

To pay salary of inspector of mines, from October first one thousand eight hundred and eighty-six to July first one thousand eight hundred and eighty-seven, nine hundred dollars. Inspector of mines; salary of.

To pay salaries of inspectors of mines, from July

first one thousand eight hundred and eighty-seven to September thirtieth one thousand eight hundred and eighty-seven, five hundred dollars.

Traveling ex-  
penses.

To pay traveling expenses of inspector of mines, from October first one thousand eight hundred and eighty six to July first, one thousand eight hundred and eighty-seven, three hundred and seventy-five dollars.

To pay traveling expenses of inspectors of mines, from July first one thousand eight hundred and eighty-seven to September thirtieth one thousand eight hundred and eighty-seven, two hundred and fifty dollars.

Lamp posts.

To pay Charleston Gas Light Company, for setting two lamp posts and connecting pipes to same, thirty-six dollars and forty-six cents.

Binding, etc.,  
of books State  
library.

To pay for binding and purchasing books for state libraries, to be drawn upon the order of the supreme court of appeals, five hundred dollars.

Flags for  
State House.

For the purchase of two flags, as provided for in house joint resolution No. 2, one hundred dollars.

Assessors for  
enrolling the  
militia.

To pay assessors for enrolling the militia in the year one thousand eight hundred and eighty-five :

David Dodd, twenty-eight dollars and seventy-one cents.

Charles H. Miller, thirty-four dollars and sixty-two cents.

H. O. Goodnight, thirty-three dollars and forty-two cents.

W. M. Whitten, twenty-one dollars and fifty-one cents.

L. M. Sanford, twenty-one dollars and eighty-seven cents.

E. Palling, fourteen dollars and twenty-two cents.

W. B. Fisher, thirty-four dollars and twenty cents.

David Cooper, forty-nine dollars and eighty cents.

John S. Perkins, forty-one dollars and sixty-four cents.

A. R. Fearer, thirty-two dollars and eighty-two cents.

H. F. Goff, thirty-four dollars and twenty-six cents.

Elkanah Smith, twenty-six dollars and fifty-five cents.

Joseph M. Allen, sixty-three dollars and thirty-six cents.

J. G. Flanagan, sixteen dollars and seventy-four cents.

George W. Shipman, nineteen dollars and five cents.

E. L. Cobern, nineteen dollars and sixty two cents.

Kelly Perry, twenty dollars and forty-six cents.

Dennis Preston, forty-two dollars and eighteen cents.

J. H. Allen, twenty-four dollars and forty-eight cents.

John H. Bryan, thirty-five dollars and forty cents.

To pay J. E. Robinson & Co. for furnishing clothes to A. Lytton, a lunatic, twenty dollars and seventy-five cents. J. E. Robinson.

To pay for gas for Capitol building, one thousand dollars, payable upon the order of the board of public works. Gas.

To pay for water for Capitol building, five hundred dollars, payable on the order of the board of public works. Water.

To pay C. L. Northrup, for expenses incurred in the arrest of Luther Smith, sixty-two dollars and ten cents. C. L. Northrup

To pay for replacing capitol elevator engine, by a gas or hydraulic engine, after sale or exchange of the engine now in use, by the board of public works, if deemed by them advisable, in addition to what may be received on such sale or exchange, three hundred dollars. Capitol elevator.

To pay for amount due the school fund, on account of the use for general state purposes of the amount of taxes collected on the revenues of corporations from April twelfth, one thousand eight hundred and seventy-three, to December, one thousand eight hundred and seventy-five, eleven thousand two hundred and forty-seven dollars and ten cents. To pay amt due School fund.

To pay for interest on the foregoing amount from January first, one thousand eight hundred and seventy-four, to May first, one thousand eight hundred and eighty-seven, eight thousand three hundred and twenty-two dollars and eighty-five cents. Interest on amt so borrowed.

The foregoing last two appropriations shall be paid on or before May first, one thousand eight hundred and eighty-seven, and if not so paid then the amount thereof shall be represented among the debts due from the state to the school fund by a bond of the state, for the amount thereof, bearing interest from said first day of May. When to be paid.

To pay janitor for extra work in the removal of the capitol archives from Wheeling to Charleston, two hundred and fifty dollars. Janitor for extra work.

To pay C. C. Watts, in full for legal services rendered the state or any and all of the counties thereof in the supreme court of the United States in the case of the Chesapeake and Ohio railway company vs. Joseph S. Miller, auditor, three thousand dollars. C. C. Watts.

To pay W. A. McCorkle, and Alfred Caldwell, for legal services in the collection of taxes for one thousand eight hundred and eighty-four, assessed against the Ohio Central railroad, in the district court of the United States, out of the ten per cent. added to such taxes under section sixty-seven, of chapter twenty-nine, of

the code, and collected to pay expenses of collection, five hundred dollars.

Alfred Caldwell.

To pay Alfred Caldwell, for legal services in the cases of the P. C. & St. L. R'y. Co. vs. the board of public works, in the circuit court of Brooke county, out of the ten per cent. added to the taxes for one thousand eight hundred and eighty-five, and paid under section sixty-seven, of chapter twenty-nine, of the code, to defray the expenses of collection, one hundred and fifty dollars.

To pay cert'n militia officers, rendering service during late war.

To pay certain militia officers, and the heirs of such of said officers as are dead, having been officers of the one hundred and thirty-third regiment, West Virginia militia, who rendered service as such in the war of one thousand eight hundred and sixty-one-five, the difference between thirteen dollars per month received by them and the amounts they should have received as such officers, viz :

Lt. Harvey Geyer.

First-lieutenant Harvey Geyer, of company "C.," from September twelfth, one thousand eight hundred and sixty-three, to March twenty-eighth, one thousand eight hundred and sixty-five, six hundred and eighty-five dollars and seventy-three cents.

Lt. L. Y. McAvoy.

Second-lieutenant L. Y. McAvoy, of company "C.," from September twelfth, one thousand eight hundred and sixty-three, to December the nineteenth, one thousand eight hundred and sixty-three, one hundred and four dollars fifty four cents.

Maj. E. B. Morgan.

The heirs of E. B. Morgan, deceased, major, from September twelfth, one thousand eight hundred and sixty-three, to April seventeenth, one thousand eight hundred and sixty-four, four hundred and eighty dollars and forty cents.

Capt. Daniel Gould.

The heirs of Daniel Gould, deceased, Captain of Company "Q," from September twelfth, one thousand eight hundred and sixty-three, to January eighth, one thousand eight hundred and sixty-five, seven hundred and forty-eight dollars and ninety cents.

How paid.

To be paid on the order of the adjutant general, when approved by the Governor.

S. M. Howard, architect.

For pay of S. M. Howard for services as architect and superintendent, while in the employment of the board of public works, in full of all amount due, three hundred and ninety-nine dollars and one cent.

Rent of arsenal.

For rent of arsenal for the years one thousand eight hundred and eighty-five-six-seven-eight, one hundred and sixty dollars.

Pocahontas county.

To pay on the order of the county court of Pocahontas county, the sum of one hundred and ninety-four dollars, to be paid out of the school fund, being money improp-

How paid.

erly paid into the said fund, by the commissioner of school lands of said county.

For the purchase of eighteen hundred copies of a second edition of the code of West Virginia, to be compiled by John A. Warth, as provided in Senate Joint Resolution No. 19, adopted February twenty second, one thousand eight hundred and eighty-seven, six thousand dollars. For purchase of second edition of code.

For the purpose of incorporating in the new code the general acts of this session of the Legislature, three hundred dollars, or so much thereof as may be necessary; but no part of this sum shall be paid except upon a contract by the board of public works, for said purpose, and no sum in excess of three hundred dollars shall be paid for so incorporating said acts. For incorporating acts of present session in code.

The Auditor is authorized to pay the expenses of the committee appointed to investigate the hospital for the insane, including the pay of witnesses and a stenographer, on accounts rendered by said committee and approved by the Governor. The pay of each member to be four dollars per day. Pay expenses of hospital committee, etc.

To pay Grady & Ruffner for interest in full on French plate glass account, two hundred and forty-seven dollars. Interest to Grady & Ruffner.

For furniture for adjutant general's office, two hundred dollars. Furniture, Adj.-General's office.

For shelving in State library, one hundred and fifty dollars. Shelving library.

For claims on file to the credit of sheriffs and remaining unpaid, such amount is hereby appropriated as may be necessary for the payment thereof, and the auditor is authorized to draw his warrant for the amount of every proper charge on that account. Claims on file to credit of sheriffs.

To pay W. D. Scott for brushes, combs, brooms, etc., fourteen dollars and ten cents. W. D. Scott.

To pay J. E. Ryan for water set, tray etc., two dollars and seventy-five cents. J. E. Ryan.

To pay W. B. Carder for two locks, and fitting same, two dollars and fifty-cents. W. B. Carder.

Be it further enacted by the Legislature of West Virginia :

2. That there shall be and are hereby appropriated, out of the State fund for the fiscal year ending September thirtieth, one thousand eight hundred and eighty-eight, the following sums for the purposes as follows : Appropriations for fiscal year ending Sept. 30, 1888.

*Penitentiary.*

For salary of superintendent, one thousand five hundred dollars. Salary of superintendent.



Clerk.	For salary of clerk, six hundred dollars for the duties belonging to his office at the time the office was created, and the further sum of four hundred dollars for the additional duties now attached to the office by reason of the abolition of the office of commissary.
Physician.	For salary of physician, five hundred dollars.
Chaplain.	For salary of chaplain, one hundred and fifty dollars.
Deficiency.	For estimated deficiency in ordinary expenses, five thousand dollars.
How drawn.	The foregoing appropriations for the penitentiary are to be drawn from the treasury upon requisitions of the board of directors, addressed to the auditor as the same may be required.

### *Criminal Charges.*

Criminal charges.	For criminal charges, eighty five thousand dollars.
-------------------	---

### *Lunatics in Jail.*

Lunatics in jail.	For support of lunatics in jail, five thousand dollars.
-------------------	---

### *Institution for the Deaf and Dumb and Blind.*

Current expenses.	For current expenses of the institution for the deaf, dumb and blind, twenty five thousand dollars.
Transportat'n	For transportation of indigent pupils, eight hundred dollars.
How drawn.	The foregoing appropriations, for the institution for the deaf and dumb and blind, to be drawn from the treasury, upon the orders of the board of directors, addressed to the auditor: <i>Provided</i> , That only the reasonable expenses incurred by said directors in discharging their duties as such, and four dollars a day for each day they may be employed as such, shall be allowed, an itemized account of which shall be filed among the records of the said institution, and no mileage shall be allowed or paid to them.
Proviso as to compensation of directors.	

### *Normal Schools.*

Support of Normal schools.	For the support of the normal school and its branches, to be paid according to section ninety-six, of chapter forty-five, of the code, as amended and re-enacted by chapter fifteen, of the acts of one thousand eight hundred and eighty one, and as further amended and re-enacted by chapter thirty-seven of the acts of one thousand eight hundred and eighty seven, thirteen thousand two hundred dollars. The residue named in the ninety-seventh section, of said chapter forty-five, as amended by chapter thirty-seven, of the acts of one
How paid.	
Residue named in chapter 45, acts 1887; how paid.	

thousand eight hundred and eighty seven, is hereby appropriated, payable on the order of the regents of such schools.

For traveling expenses for the regents, for one thousand eight hundred and eighty eight, three hundred and fifty dollars: *Provided*, That only the reasonable expenses incurred by said regents in discharging their duties as such, and four dollars a day for each day they may be employed as such, shall be allowed, an itemized account of which shall be filed among the records of the normal schools, and no mileage shall be allowed or paid to them.

Expenses of regents.

For repairs and apparatus, for West Liberty normal school, four hundred and fifty dollars.

Repairs, furniture, apparatus, etc.

For repairs of the Fairmont normal school, four hundred dollars.

For furniture for one room in the Fairmont normal school, two hundred and fifty dollars.

For repairs, contingent expenses, apparatus and furniture at Marshall College, one thousand seven hundred and fifty dollars.

For repairs, grading, furniture, apparatus, well, stone steps, &c., at Concord normal school, one thousand and sixty-nine dollars and thirty-three cents.

For library and classroom apparatus, repairs and improvements at Shepherd college normal school, three hundred dollars.

The foregoing appropriations, except for teachers and traveling expenses of the regents for the normal school, to be drawn from the treasury upon the orders of the executive committee addressed to the auditor.

How drawn.

For pay of teachers of the Shepherd College normal school, for the years eighteen hundred and seventy nine and eighteen hundred and eighty, sixteen hundred and forty-nine dollars and eighty-five cents, to be paid as follows:

Shepherd college. Pay teachers for 1879-80.

To Joseph McMurrin, six hundred and ninety-eight dollars.

Joseph McMurrin.

To the personal representative of Prof. D. D. Pendleton, six hundred and thirty-four dollars.

D. D. Pendleton.

To Mrs. Lilly Lee, three hundred and seventeen dollars.

Mrs. Lilly Lee.

For pay of teachers of the Fairmont normal school, for the years eighteen hundred and seventy-nine and eighteen hundred and eighty, thirteen hundred and forty dollars. to be paid as follows:

Fairmont Normal school. Pay teachers for 1879-80.

Margaret L. Dickey Fleming, six hundred and twenty dollars.

Lucy M. Fleming Stewart, three hundred and sixty dollars.

Ulysses S. Fleming, three hundred and sixty dollars.

To pay teachers for 1883-4.

For pay of teachers of Fairmont normal school, for the years eighteen hundred and eighty-three and eighteen hundred and eighty-four, two hundred and ninety-one dollars and twenty-one cents, to be paid as follows :

Conrad A. Sipe, one hundred and ninety-nine dollars and twenty-one cents.

U. S. Fleming, eighty-one dollars and sixty cents.

Nannie R. Cameron, ten dollars and forty cents.

Marshall college. To pay teachers for 1879-80.

For pay of teachers of Marshall College normal school, for the years eighteen hundred and seventy-nine and eighteen hundred and eighty, two hundred eighty-five dollars.

Glenville Normal school. To pay T. M. Marshall.

To T. Marcellus Marshall, of the Glenville normal school, for the scholastic year eighteen hundred and seventy-nine and eighteen hundred and eighty, seven hundred and fifty-nine dollars and fifty cents.

Concord Normal school. To pay teachers for 1879-80.

For pay of teachers of the Concord normal school, for the years eighteen hundred and seventy-nine and eighteen hundred and eighty, five hundred and forty dollars, to be paid as follows :

James H. French, two hundred and sixteen dollars.

Wm. M. Reynolds, one hundred and eighty-nine dollars.

James H. Holroyd, one hundred and thirty-five dollars.

To pay S. P. Lazear, for services as principal of the Glenville normal school, for the years one thousand eight hundred and eighty-one and eighty-two, eighty-seven dollars.

To pay Angie M. Harding, for services as assistant teacher in the West Liberty normal school, for the years one thousand eight hundred and seventy-three and seventy-four, one hundred and fifty dollars.

### *The University.*

Expenses of regents.

For expenses of the regents of the West Virginia University, seven hundred dollars. *Provided*, That only the reasonable expenses incurred by said regents in discharging their duties as such, and four dollars a day for each day they may be employed as such, shall be allowed, an itemized account of which shall be filed among the records of the university, and no mileage shall be allowed or paid to them.

Proviso as to compensation of regents.

Contingent expenses.

For contingent expenses of the university, four thousand dollars.

Salaries.

For salaries of instructors at the university, fourteen thousand five hundred dollars.

Library.

For library, three hundred dollars.

Repairs, etc.

For repairs and improvements, five hundred dollars.

The foregoing appropriations for the university to be drawn from the treasury upon orders of the executive committee, addressed to the auditor.

*Hospital for the Insane.*

For current expenses of the hospital for the insane, one hundred thousand dollars.

*Provided*, That only the reasonable expenses incurred by the board of directors of the hospital for the insane in discharging their duties as such, and four dollars a day for each day they may be employed as such, shall be allowed, an itemized account of which shall be filed among the records of the said Hospital, and no mileage shall be allowed or paid to them.

For transportation of patients, three thousand five hundred dollars.

For repairs in engineer's, carpenter's and farming departments, two thousand five hundred dollars.

For furnishing fund, one thousand dollars.

For furniture, one thousand dollars.

For repairing, coping, spouting, etc., three hundred dollars.

For library and instruments, one hundred dollars.

For painting, five hundred dollars.

For the erection of a suitable and substantial brick building, on the ground of, and as an addition, to the hospital for the insane at Weston, West Virginia, the same to cost not more than twenty thousand dollars, the second ten thousand dollars of which is hereby appropriated.

The foregoing appropriations for the hospital for the insane, to be drawn from the treasury upon the orders of the board of directors, addressed to the auditor, at the beginning of each month, in such amounts as may be then needed.

EXECUTIVE DEPARTMENT.

For civil contingent fund, eight thousand three hundred dollars, three hundred dollars of which is to be used for the military of the State.

For contingent expenses of auditor's office and pay of extra clerks, two thousand dollars.

For contingent expenses of treasurer's office and pay of extra clerks, five hundred dollars.

For contingent expenses of secretary of state's office, one thousand dollars.

For contingent expenses of attorney-general's office, two hundred dollars.

- Librarian. For contingent expenses of state librarian, one hundred dollars.
- Adjutant-General. For contingent expenses of adjutant-general, one hundred and fifty dollars.
- How drawn. The foregoing appropriations to be drawn upon the requisition or orders of the officers to whom said funds are respectively appropriated, who shall render a detailed account at each meeting of the Legislature of the funds so expended.

*Salaries of Clerks.*

- Governor's private secretary. To pay salary of private secretary to the governor, one thousand dollars.
- Clerk secretary state. To pay salary of clerk of the secretary of the state, one thousand two hundred dollars.
- Second clerk, secretary state. To pay salary of second clerk to the secretary of state, one thousand dollars.
- Clerk of treasurer. To pay salary of clerk in the treasurer's office, one thousand two hundred dollars.
- Clerks in auditor's office. To pay salaries of clerks in the auditor's office, six thousand dollars.
- Clerk in attorney-general's office. To pay salary of clerk in the attorney-general's office, one thousand dollars.
- Clerk superintendent schools. To pay salary of clerk in the office of state superintendent of free schools, to be paid out of the general school fund, one thousand two hundred dollars.
- Second clerk superintendent schools. To pay salary of second clerk in the office of state superintendent of free schools, to be paid out of the general school fund, eight hundred dollars.

JUDICIAL DEPARTMENT.

- Contingent expenses. For contingent expenses of the supreme court of appeals, one thousand eight hundred dollars.
- Contingent expenses. For contingent expenses of the circuit courts, five hundred dollars.
- Printing, etc., reports. For printing and binding the supreme court reports, three thousand dollars.

*Overpaid Taxes.*

- Refunding taxes overpaid; how paid. For refunding overpayments made at the treasury on account of taxes, licenses, fines and commissions, to be paid out of the fund into which the payment was made, upon such form or voucher as may be prescribed by the auditor, two thousand dollars.

*Erroneous Assessments.*

- For refunding taxes erroneously assessed, collected

and paid into the treasury, to be paid out of the fund into which the taxes were paid, five hundred dollars. Refunding taxes erroneously assessed; how paid.

*County and District Taxes.*

For refunding to counties, county and district taxes paid into the treasury for the redemption of land, such amount is hereby appropriated as will be necessary to refund to the counties entitled thereto the taxes so paid into the treasury. Refunding county and district taxes; how paid.

For refunding county, district and municipal taxes paid into the treasury by railroad companies, such sum is hereby appropriated as will be necessary to refund to each county, district and municipal corporation, the amount of such taxes as may be paid into the treasury, to the credit of such county, district and municipal corporation. Refunding to counties, etc., taxes paid by railroads.

*Public Printing.*

For Public printing and binding, nine thousand dollars. Printing, etc.

For supplying stationery and printing paper for state use including the office of superintendent of free schools, eleven thousand dollars. Stationery, etc.

*Civil Suits.*

For expenses of civil suits and pay of state agents, two thousand dollars, the per cent. to be paid out of the fund collected. Expenses civil suits, etc.

*Vaccine Agents.*

To pay vaccine agents, to be drawn upon the order of the governor, one hundred and fifty dollars. Vaccine agents.

*Fish Commissioners.*

For pay of expenses of fish commissioners, five hundred dollars. Fish commissioners.

*Interest.*

For interest on money borrowed of the school fund, eleven thousand one hundred and ninety-one dollars. Pay interest.

*Miscellaneous.*

For pay of expenses of state board of health, to be drawn upon the order of said board, five hundred dollars. Expenses board health.

**Books for state libraries.** For binding and purchasing books for state libraries, to be drawn upon the order of the supreme court of appeals and expended under the direction of said court, five hundred dollars.

**Salaries inspectors of mines.** For salaries of inspectors of mines, two thousand dollars.

**Expenses inspectors of mines.** For traveling expenses of inspectors of mines, five hundred dollars.

**Gas for capitol.** For gas for capitol building, seven hundred dollars, payable on the order of the board of public works.

**Water for capitol.** For water for capitol building, four hundred dollars, payable on the order of the board of public works.

**Improving capitol building and grounds.** For improving capitol building, grounds, clock, plumbing, building fence, &c., five thousand dollars, to be expended under the direction and payable on the order of the board of public works.

**Document rooms.** For fitting up with shelving, drawers, packing tables, two document and packing rooms, for use of auditor and secretary of State, five hundred dollars.

**Publishing amendments to Constitution.** For publishing the proposed amendments to the constitution, twenty-seven hundred dollars, or so much thereof as may be necessary, to be expended in pursuance of contracts for such publication to be made by the governor, and no expense on account of such publication shall be met out of any other fund.

Be it further enacted by the Legislature of West Virginia:

**No money to be paid beyond appropriations, unless, etc.** 3. That no sum of money shall be paid out of the treasury during the fiscal years ending September thirtieth, one thousand eight hundred and eighty-seven, and one thousand eight hundred and eighty-eight, beyond the amounts hereby appropriated, unless the same be provided for by the constitution or some general law.

**Auditor may make certain payments to public institutions, clerks, etc., after end of fiscal year.** But in addition to the sums hereby appropriated for each said fiscal year, the auditor may, after the expiration of said fiscal year, ending on the thirtieth day of September, one thousand eight hundred and eighty-eight, and during the first six months of the fiscal year beginning on the first day of October, one thousand eight hundred and eighty-eight, make payments to the following institutions, officers and persons, upon proper vouchers, of sums of money not exceeding in the aggregate one-half of the amount appropriated for the same purpose, for the fiscal year ending September thirtieth, one thousand eight hundred and eighty-eight, that is to say: For criminal charges; for the support of lunatics in jail; for the pay of teachers at the univer-

sity; for pay of teachers of the normal schools; for current expenses of the institution for the deaf, dumb and blind; for the current expenses of the hospital for the insane; for the contingent expenses of the different executive offices, and of the librarian and adjutant general's office; for the pay of clerks in the executive offices; for pay of clerk, physician and chaplain of the penitentiary; for printing and binding the supreme court reports; for refunding overpaid taxes, and for taxes erroneously assessed; and for public printing and binding and for supplying stationery; and during the said six months the auditor may pay all proper charges, for refunding to counties and districts, taxes for county and district purposes upon lands redeemed at the auditor's office, and also taxes assessed against railroads for county and district purposes, which may be presented to him for payment. And there are hereby appropriated out of the state fund, for the fiscal year ending September thirtieth, one thousand eight hundred and eighty nine, sums sufficient to make the payments authorized by this section.

Appropriation for such payments.

4. Any sum now in the treasury or which may hereafter be collected from the five cent tax levied for repairs and additions to the public buildings of the state, under chapter twenty, of the acts of one thousand eight hundred and eighty-five, shall be and the same is hereby turned into the state fund for general state purposes.

Five cent building fund turned into the State fund.

5. The treasurer is hereby authorized to make the necessary entries, on the books of his office, disposing of the unavailable balance of sixteen thousand six hundred and one dollars and seven cents (\$16,601.07), shown as standing to the credit of the state in the Merchants' Bank of Charleston, when certified to be worthless by the state agent.

Treasurer to dispose of balance due State from merchants' bank; when.

The auditor is hereby authorized to make the necessary entries, on the books of his office, disposing of the arrears for taxes and licenses due from sheriffs for the years one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-two, one thousand eight hundred and sixty-three, one thousand eight hundred and sixty-four, and one thousand eight hundred and sixty-five, as reported in his report ending September thirtieth, one thousand eight hundred and eighty-six, on page sixty-three, when certified by the state agent as worthless, and to report the same to the next legislature.

Auditor to dispose of arrears due State from Sheriffs for certain years; when.

6. The superintendents of the several public institu-



Superintendents of public institutions to render to directors, etc., accounts of expenditures.

Such accounts to be included in reports.

What statement by treasurer of institution to accompany warrant, etc. on auditor.

Itemized accounts of disbursements to be furnished legislature.

tions of this state shall furnish to the boards of directors or of regents, of their respective institutions, itemized accounts of all moneys paid out on account of appropriations for contingent expenses and repairs, and when audited and allowed, the directors or regents, respectively, shall include such itemized account in their reports as are directed by law to be made.

Every warrant or requisition upon the auditor for any part of the moneys herein and hereby appropriated for the penitentiary, the university, the hospital for the insane, and the institution for the deaf, dumb and blind, shall be accompanied by a statement of the treasurer, or other financial officer of such institution, showing how much money is in his hands to the credit of such institution on the day such draft or requisition is forwarded for payment.

And the disbursing officers of the various contingent funds are hereby required to furnish the succeeding legislature an itemized account of the distribution of said funds.

STATE OF WEST VIRGINIA,  
OFFICE OF SECRETARY OF STATE,  
May 14, 1887. }

I certify that the foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without his approval.

HENRY S. WALKER,  
*Secretary of State.*

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from its passage, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

# JOINT RESOLUTIONS.

---

[No. 1.]

JOINT RESOLUTION providing for the adoption of Joint Rules for the government of the two Houses.

Resolved by the Legislature of West Virginia :

That the Joint Rules of the Senate and House of Delegates, heretofore adopted and printed in the manual, in use in the Legislature of this State, at the last session thereof, be and the same are hereby adopted for the government of the two Houses of this session.

[Adopted April 22, 1887.]

---

[No. 2.]

JOINT RESOLUTION authorizing the auditor to draw warrants upon the treasury for the per diem and mileage of members of the Legislature, and the per diem of the officers and attaches of the Senate and House of Delegates.

Resolved by the Legislature of West Virginia :

That the auditor is hereby authorized to issue his warrants upon the treasury, for such amounts as are or may become due, to the several members, officers and attaches of the Senate and House of Delegates for their per diem upon the proper requisitions of

the clerk of the Senate and Sergeant-at-Arms of the House, respectively ; and the said auditor is further authorized to issue his warrants for the mileage of the members of the two Houses, as soon as the same is ascertained and fixed, upon proper requisitions being presented to him therefor.

[Adopted April 23, 1887.]

---

[No. 3]

JOINT RESOLUTION approving the passage by congress of the inter-state commerce bill.

Resolved by the legislature of West Virginia .

That the passage of the inter-state commerce bill by congress is heartily approved by this legislature, and the thanks of this body are hereby tendered to our senators and representatives for their efforts to secure its passage, and we as a body express the desire that the said bill shall be perfected and carried into effect.

[Adopted May 5, 1887.]

---

[No. 4.]

JOINT RESOLUTION authorizing and directing the president of the senate and the speaker of the house of delegates to notify Charles J. Faulkner, of Berkeley county, of his election to the senate of the United States, by the Legislature of West Virginia, in joint assembly, on Thursday, May 5, 1887.

WHEREAS, It appears from the journals of both the senate and house of delegates, of Thursday, May five, one thousand eight hundred and eighty-seven, that "the presiding officer announced that Charles J. Faulkner, having received a majority of all the votes cast by both branches of the legislature, voting in joint assembly, was duly elected senator in congress from this State to fill the vacancy which exists in the representation of this state in the senate of the United States, caused by the expiration of the term of Johnson N. Camden, and the failure of the legislature to select his successor, to which vacancy the Governor temporarily

appointed Daniel B. Lucas, in the recess of the legislature, prior to the commencement of the present session thereof;" therefore :

Be it resolved by the Legislature of West Virginia :

That the president of the senate and the speaker of the house of delegates be authorized and directed to notify said Charles J. Faulkner of his election, as aforesaid, to said office of United States Senator.

[Adopted May 6, 1887.]

---

[No. 5.]

JOINT RESOLUTION requesting the senators and representatives in congress, from this state, to take the proper steps, to have the general government, refund to this State, the amount of money appropriated at this session to pay certain militia officers, and the heirs of such of said officers as are dead, for services rendered in the war of one thousand eight hundred and sixty one and five.

Resolved by the Legislature of West Virginia :

That the senators and representatives in congress, from this State, be requested to take the proper steps to have the general government refund to this State, the sum of two thousand and nineteen dollars and fifty seven cents, being the amount appropriated at this session of the legislature to pay certain officers, and the heirs of such of said officers as are dead, of the one hundred and thirty third regiment West Virginia militia, for services rendered by them as such in the war of one thousand eight hundred and sixty one and five, being the difference between thirteen dollars per month received by them and the amounts they should have received as such officers.

[Adopted May 7, 1887.]

---

[No. 6.]

JOINT RESOLUTION requesting the several prosecuting attorneys and judges of circuit courts, in this state, not to institute nor maintain prosecution against persons for selling at retail tobacco, snuffs and cigars, without a state license therefor, on and after May first, one thousand eight hundred and eighty-seven.

WHEREAS, Chapter twenty, acts one thousand eight hundred and eighty-five, imposed a state license tax of \$3 00 per annum upon retail dealers in tobacco, snuffs and cigars; and

WHEREAS; Chapter twenty-nine, acts one thousand eight hundred and eighty-seven, removed such license tax, but said last named act does not take effect till May twenty-third, one thousand eight hundred and eighty-seven, thereby requiring such retail dealers to take out such license, when only twenty two days remain, from May first, the time for taking out such license, and May the twenty-third, the time when such license tax will be removed; therefore,

Be it resolved by the Legislature of West Virginia :

That the several prosecuting attorneys and judges of the several circuit courts, in this state, be and are hereby requested not to institute nor maintain any prosecution against any person for selling at retail tobacco, snuffs and cigars, without a state license therefor, on and after May first, one thousand eight hundred and eighty-seven.

[Adopted May 7, 1887.]

[No. 7.]

JOINT RESOLUTION providing for the adjournment of the present session of the legislature.

Resolved by the legislature of West Virginia :

That the present session of the legislature will adjourn *sine die* on Monday, May the 9th, 1887, at the hour of 11 o'clock, A. M.

[Adopted May 7, 1887.]

---

---

CONSTITUTION  
OF THE  
STATE OF WEST VIRGINIA,

ADOPTED IN CONVENTION AT CHARLESTON, APRIL 9, 1872,

AS AMENDED AND NOW IN FORCE.

---

1887.

---

---



# CONSTITUTION.

---

## ARTICLE I.

### RELATIONS TO THE GOVERNMENT OF THE UNITED STATES.

1. The State of West Virginia is, and shall remain, one of the United States of America. The Constitution of the United States of America, and the laws and treaties made in pursuance thereof, shall be the supreme law of the land.

2. The government of the United States is a government of enumerated powers, and all powers not delegated to it, nor inhibited to the States, are reserved to the States or to the people thereof. Among the powers so reserved by the States, is the exclusive regulation of their own internal government and police; and it is the high and solemn duty of the several departments of government, created by this Constitution, to guard and protect the people of this State from all encroachments upon the rights so reserved.

3. The provisions of the Constitution of the United States, and of this State, are operative alike in a period of war as in time of peace, and any departure therefrom, or violation thereof, under the plea of necessity, or any other plea, is subversive of good government, and tends to anarchy and despotism.

4. For the election of representatives to Congress, the State shall be divided into districts, corresponding in number with the representatives to which it may be entitled; which districts shall be formed of contiguous counties, and be compact. Each district shall contain, as nearly as may be, an equal number of popula-



tion, to be determined according to the rule prescribed in the Constitution of the United States.

## ARTICLE II.

### THE STATE.

1. The territory of the following counties, formerly parts of the Commonwealth of Virginia, shall constitute and form the State of West Virginia, viz :

The counties of Barbour, Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Jackson, Jefferson, Kanawha, Lewis, Lincoln, Logan, Marion, Marshall, Mason, McDowell, Mercer, Mineral, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, Wood and Wyoming. The State of West Virginia includes the bed, bank and shores of the Ohio river, and so much of the Big Sandy river as was formerly included in the Commonwealth of Virginia; and all territorial rights and property in, and jurisdiction over, the same, heretofore reserved by, and vested in, the Commonwealth of Virginia, are vested in, and shall hereafter be exercised by, the State of West Virginia. And such parts of the said beds, banks and shores as lie opposite, and adjoining the several counties of this State, shall form parts of said several counties respectively.

2. The powers of government reside in all the citizens of the State, and can be rightfully exercised only in accordance with their will and appointment.

3. All persons residing in this State, born or naturalized in the United States, and subject to the jurisdiction thereof, shall be citizens of this State.

4. Every citizen shall be entitled to equal representation in the government, and, in all apportionments of representation,

equality of numbers of those entitled thereto, shall, as far as practicable, be preserved.

5. No distinction shall be made between resident aliens and citizens as to the acquisition, tenure, disposition or descent of property.

6. Treason against the State shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort.

No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court. Treason shall be punished according to the character of the acts committed, by the infliction of one or more, of the penalties, of death, imprisonment or fine, as may be prescribed by law.

7. The present seal of the State, with its motto, "*Montani Semper Liberi*," shall be the great seal of the State of West Virginia, and shall be kept by the Secretary of State, to be used by him officially, as directed by law.

8. Writs, grants and commissions, issued under the authority of this State, shall run in the name of, and official bonds shall be made payable to, the State of West Virginia. Indictments shall conclude, "Against the peace and dignity of the State."

---

## ARTICLE III.

### BILL OF RIGHTS.

1. All men are, by nature, equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity, namely: the enjoyment of life and liberty, with the means of acquiring and possessing property, and of pursuing and obtaining happiness and safety.

2. All power is vested in, and consequently derived from, the

people. Magistrates are their trustees and servants, and at all times amenable to them.

3. Government is instituted for the common benefit, protection and security of the people, nation or community. Of all its various forms that is the best, which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of mal-administration; and when any government shall be found inadequate or contrary to these purposes, a majority of the community has an indubitable, inalienable, and indefeasible right to reform, alter or abolish it in such manner as shall be judged most conducive to the public weal.

4. The privilege of the writ of *habeas corpus* shall not be suspended. No person shall be held to answer for treason, felony or other crime not cognizable by a justice, unless on presentment or indictment of a grand jury. No bill of attainder, *ex post facto* law, or law impairing the obligation of a contract, shall be passed.

5. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. Penalties shall be proportioned to the character and degree of the offense. No person shall be transported out of, or forced to leave the State, for any offense committed within the same; nor shall any person, in any criminal case, be compelled to be a witness against himself, or be twice put in jeopardy of life or liberty for the same offense.

6. The right of the citizens to be secure in their houses, persons, papers and effects, against unreasonable searches and seizures, shall not be violated. No warrant shall issue except upon probable cause, supported by oath or affirmation, particularly describing the place to be searched, or the person or thing to be seized.

7. No law abridging the freedom of speech, or of the press, shall be passed; but the Legislature may, by suitable penalties, restrain, the publication or sale of obscene books, papers or pictures, and provide for the punishment of libel, and defamation of character, and for the recovery, in civil actions, by the aggrieved party, of suitable damages for such libel, or defamation.

8. In prosecutions, and civil suits for libel, the truth may be

given in evidence; and if it shall appear to the jury, that the matter charged as libelous, is true, and was published with good motives, and for justifiable ends, the verdict shall be for the defendant.

9. Private property shall not be taken or damaged for public use, without just compensation; nor shall the same be taken by any company, incorporated for the purposes of internal improvement, until just compensation shall have been paid, or secured to be paid, to the owner; and when private property shall be taken, or damaged, for public use, or for the use of such corporations, the compensation to the owner shall be ascertained in such manner, as may be prescribed by general law: *Provided*, That when required by either of the parties, such compensation shall be ascertained by an impartial jury of twelve freeholders.

10. No person shall be deprived of life, liberty or property, without due process of law, and the judgment of his peers.

11. Political tests, requiring persons, as a prerequisite to the enjoyment of their civil and political rights, to purge themselves by their own oaths, of past alleged offenses are repugnant to the principles of free government, and are cruel and oppressive. No religious or political test oath shall be required as a prerequisite or qualification to vote, serve as a juror, sue, plead, appeal, or pursue any profession or employment. Nor shall any person be deprived by law, of any right or privilege, because of any act done prior to the passage of such law.

12. Standing armies in time of peace, should be avoided, as dangerous to liberty. The military shall be subordinate to the civil power; and no citizen, unless engaged in the military service of the State, shall be tried or punished by any military court, for any offense that is cognizable by the civil courts of the State. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, except in the manner to be prescribed by law.

\*13. In suits at common law, where the value in controversy exceeds twenty dollars, exclusive of interest and costs, the right of trial by jury, if required by either party, shall be preserved; and in such suit before a justice, a jury may consist of six persons.

\*Agreed to by the Legislature in 1879 and ratified in October, 1890

No fact tried by a jury shall be otherwise re-examined, in any case, than according to the rules of the common law.

14. Trials of crimes, and of misdemeanors, unless herein otherwise provided, shall be by a jury of twelve men, public, without unreasonable delay, and in the county where the alleged offense was committed, unless upon petition of the accused, and for good cause shown, it is removed to some other county. In all such trials, the accused shall be fully and plainly informed of the character and cause of the accusation, and be confronted with the witnesses against him, and shall have the assistance of counsel, and a reasonable time to prepare for his defense: and there shall be awarded to him, compulsory process for obtaining witnesses in his favor.

15. No man shall be compelled to frequent or support any religious worship, place or ministry whatsoever; nor shall any man be enforced, restrained, molested or burthened, in his body or goods, or otherwise suffer, on account of his religious opinions or belief; but all men shall be free to profess, and, by argument, to maintain their opinions in matters of religion; and the same shall, in no wise, affect, diminish, or enlarge their civil capacities; and the Legislature shall not prescribe any religious test whatever, or confer any peculiar privileges or advantages on any sect or denomination, or pass any law requiring or authorizing any religious society, or the people of any district within this State, to levy on themselves, or others, any tax, for the erection or repair of any house for public worship, or for the support of any church or ministry, but it shall be left free for every person to select his religious instructor, and to make for his support such private contract, as he shall please.

16. The right of the people to assemble in a peaceable manner, to consult for the common good, to instruct their representatives, or to apply for redress of grievances, shall be held inviolate.

17. The courts of this State shall be open, and every person, for an injury done him, in his person, property or reputation, shall have remedy by due course of law; and justice shall be administered without sale, denial or delay.

18. No conviction shall work corruption of blood or forfeiture of estate.

19. No hereditary emoluments, honors or privileges, shall ever be granted or conferred in this State.

20. Free government, and the blessings of liberty, can be preserved to any people, only by a firm adherence to justice, moderation, temperance, frugality and virtue, and by a frequent recurrence to fundamental principles.

## ARTICLE IV.

### ELECTIONS AND OFFICERS.

1. The male citizens of the State, shall be entitled to vote at all elections held within the counties, in which they respectively reside; but no person who is a minor, or of unsound mind, or a pauper, or who is under conviction of treason, felony, or bribery in an election, or who has not been a resident of the State for one year, and of the county in which he offers to vote, for sixty days next preceding such offer, shall be permitted to vote, while such disability continues; but no person in the military, naval, or marine service of the United States, shall be deemed a resident of this State by reason of being stationed therein.

2. In all elections by the people, the mode of voting shall be by ballot; but the voter shall be left free to vote by either open, sealed or secret ballot, as he may elect.

3. No voter, during the continuance of an election at which he is entitled to vote, or during the time necessary and convenient for going to, and returning from the same, shall be subject to arrest upon civil process, or be compelled to attend any court, or judicial proceeding, as suitor, juror or witness; or to work upon the public roads, or, except in time war or public danger, to render military service.

4. No person, except citizens entitled to vote, shall be elected or appointed to any State, county, or municipal office; but the Governor and Judges, must have attained the age of thirty, and the Attorney General and Senators, the age of twenty-five years, at the beginning of their respective terms of service; and

must have been citizens of the State, for five years, next preceding their election, or appointment, or be citizens at the time this Constitution goes into operation.

5. Every person elected, or appointed, to any office, before proceeding to exercise the authority, or discharge the duties thereof, shall make oath, or affirmation, that he will support the Constitution of the United States and the Constitution of this State, and that he will faithfully discharge the duties of his said office, to the best of his skill and judgment; and no other oath, declaration, or test, shall be required as a qualification, unless herein otherwise provided.

6. All officers elected or appointed under this Constitution, may, unless in cases herein otherwise provided for, be removed from office, for official misconduct, incompetency, neglect of duty, or gross immorality, in such manner as may be prescribed by general laws, and unless so removed, they shall continue to discharge the duties of their respective offices, until their successors are elected, or appointed and qualified.

\*7. The general elections of state and county officers, and of members of the legislature, shall be held on the Tuesday next after the first Monday in November, until otherwise provided by law. The terms of such officers, not elected, or appointed to fill a vacancy, shall, unless herein otherwise provided, begin on the first day of January; and of the members of the legislature, on the first day of December next succeeding their election. Elections to fill vacancies, shall be for the unexpired term. When vacancies occur prior to any general election, they shall be filled by appointments, in such manner as may be prescribed herein, or by general law, which appointments shall expire at such time after the next general election as the person so elected to fill such vacancy shall be qualified.

8. The Legislature, in cases not provided for in this Constitution, shall prescribe, by general laws, the terms of office, powers, duties and compensation of all public officers and agents, and the manner in which they shall be elected, appointed and removed.

9. Any officer of the State may be impeached for mal-administration, corruption, incompetency, gross immorality, neglect of duty, or any high crime or misdemeanor. The House of Dele-

\*Agreed to by the Legislature in 1883, and ratified in October, 1884.

gates shall have the sole power of impeachment. The Senate shall have the sole power to try impeachments, and no person shall be convicted without the concurrence of two-thirds of the members elected thereto. When sitting as a court of impeachment, the President of the Supreme Court of Appeals, or, if from any cause, it be improper for him to act, then any other judge of that court, to be designated by it, shall preside; and the Senators shall be on oath, or affirmation, to do justice according to law and evidence. Judgment in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold any office of honor, trust, or profit, under the State; but the party convicted shall be liable to indictment, trial, judgment, and punishment, according to law. The Senate may sit during the recess of the Legislature, for the trial of impeachments.

10. Any citizen of this State, who shall, after the adoption of this Constitution, either in, or out of the State, fight a duel with deadly weapons, or send or accept a challenge so to do, or who shall act as a second, or knowingly aid or assist in such duel, shall, ever thereafter, be incapable of holding any office of honor, trust or profit, in this State.

11. The Legislature shall prescribe the manner of conducting, and making returns of elections, and of determining contested elections; and shall pass such laws as may be necessary and proper to prevent intimidation, disorder, or violence at the polls, and corruption or fraud in voting, counting the vote, ascertaining or declaring the result, or fraud, in any manner, upon the ballot.

12. No citizen shall ever be denied or refused the right or privilege of voting at an election, because his name is not, or has not been, registered or listed, as a qualified voter.

## ARTICLE V.

### DIVISION OF POWERS.

1. The Legislative, Executive and Judicial Departments shall be separate and distinct, so that neither shall exercise the powers properly belonging to either of the others; nor shall any person exercise the powers of more than one of them at the same time, except that Justices of the Peace shall be eligible to the Legislature.



## ARTICLE VI.

## LEGISLATURE.

1. The legislative power shall be vested in a Senate and House of Delegates. The style of their acts shall be, "Be it enacted by the Legislature of West Virginia."

2. The Senate shall be composed of twenty-four, and the House of Delegates of sixty-five members, subject to be increased according to the provisions hereinafter contained.

3. Senators shall be elected for the term of four years, and Delegates for the term of two years. The Senators first elected, shall divide themselves into two classes, one Senator from every district being assigned to each class; and of these classes, the first, to be designated by lot in such manner as the Senate may determine, shall hold their seats for two years; and the second, for four years, so that after the first election, one half of the Senators shall be elected biennially.

\*4. For the election of Senators, the State shall be divided into twelve Senatorial Districts, which number shall not be diminished, but may be increased as hereinafter provided. Every district shall elect two Senators, but, where the district is composed of more than one county, both shall not be chosen from the same county. The districts shall be compact, formed of contiguous territory, bounded by county lines, and, as nearly as practicable, equal in population, to be ascertained by the census of the United States. After every such census, the Legislature shall alter the Senatorial Districts, so far as may be necessary to make them conform to the foregoing provision.

\*5. Until the Senatorial Districts shall be altered by the Legislature as herein prescribed, the counties of Hancock, Brooke and Ohio, shall constitute the first Senatorial District; Marshall, Wetzel and Marion, the second; Ritchie, Doddridge, Harrison, Gilmer and Calhoun the third; Tyler, Pleasants, Wood and Wirt, the fourth; Jackson, Mason, Putnam and Roane, the fifth; Kanawha, Clay, Nicholas, Braxton and Webster, the sixth; Cabell, Wayne, Lincoln, Boone, Logan, Wyoming, McDowell and Mercer, the seventh; Monroe, Greenbrier, Summers, Pocahontas, Fayette and

\*Districts re-arranged and number of increased by Legislature—Chapter 90, Acts 1882.

Raleigh, the eighth; Lewis, Randolph, Upshur, Barbour, Taylor and Tucker, the ninth; Preston and Monongalia, the tenth; Hampshire, Mineral, Hardy, Grant and Pendleton, the eleventh; Berkeley, Morgan and Jefferson, the twelfth.

6. For the election of Delegates, every county containing a population of less than three fifths of the ratio of representation for the House of Delegates, shall, at each apportionment, be attached to some contiguous county or counties, to form a Delegate District.

7. After every census the Delegates shall be apportioned as follows: The ratio of representation for the House of Delegates shall be ascertained by dividing the whole population of the State by the number of which the House is to consist, and rejecting the fraction of a unit, if any, resulting from such division. Dividing the population of every Delegate District, and of every county not included in a Delegate District, by the ratio thus ascertained, there shall be assigned to each a number of Delegates equal to the quotient obtained by this division, excluding the fractional remainder. The additional Delegates necessary to make up the number of which the House is to consist, shall then be assigned to those Delegate Districts, and counties not included in a Delegate District, which would otherwise have the largest fractions unrepresented; but every Delegate District, and county not included in a Delegate District, shall be entitled to at least one Delegate.

†8. Until a new apportionment shall be declared, the counties of Pleasants and Wood shall form the first delegate district, and elect three Delegates; Ritchie and Calhoun, the second, and elect two Delegates; Barbour, Harrison and Taylor, the third, and elect one Delegate; Randolph and Tucker, the fourth, and elect one Delegate; Nicholas, Clay and Webster, the fifth, and elect one Delegate; McDowell and Wyoming, the sixth, and elect one Delegate.

†9. Until a new apportionment shall be declared, the apportionment of Delegates to the counties not included in Delegate Districts, and to Barbour, Harrison and Taylor counties, embraced in such Districts, shall be as follows:

To Barbour, Boone, Braxton, Brooke, Cabell, Doddridge, Fayette, Hampshire, Hancock, Jackson, Lewis, Logan, Greenbrier, Monroe, Mercer, Mineral, Morgan, Grant, Hardy, Lincoln, Pendleton, Putnam, Roane, Gilmer, Taylor, Tyler, Upshur, Wayne, Wetzell, Wirt, Pocahontas, Summers and Raleigh counties, one Delegate each.

To Berkeley, Harrison, Jefferson, Marion, Marshall, Mason, Monongalia and Preston counties, two Delegates each.

To Kanawha county, three Delegates.

To Ohio county, four Delegates.

10. The arrangement of the Senatorial and Delegate Districts, and apportionment of Delegates, shall hereafter be declared by law, as soon as possible after each succeeding census, taken by authority of the United States. When so declared, they shall apply to the first general election for members of the Legislature, to be thereafter held, and shall continue in force unchanged, until such Districts shall be altered, and Delegates apportioned, under the succeeding census.

11. Additional territory may be admitted into, and become part of, this State, with the consent of the Legislature and a majority of the qualified voters of the State, voting on the question. And in such case, provision shall be made by law, for the representation thereof in the Senate and House of Delegates, in conformity with the principles set forth in this Constitution. And the number of members of which each House of the Legislature is to consist, shall thereafter be increased, by the representation assigned to such additional territory.

12. No person shall be a Senator or Delegate, who has not for one year, next preceding his election, been a resident within the District or county from which he is elected; and if a Senator or Delegate remove from the district, or county, for which he was elected, his seat shall be thereby vacated.

13. No person holding a lucrative office under this State, the United States, or any foreign government; no member of Congress; no person who is a salaried officer of any railroad company, or who is sheriff, constable, or clerk of any court of record, shall be eligible to a seat in the Legislature.

14. No person who has been, or hereafter shall be, convicted of bribery, perjury, or other infamous crime, shall be eligible to a

seat in the Legislature. No person who may have collected, or been entrusted with public money, whether State, county, township, district, or other municipal organization, shall be eligible to the Legislature, or to any office of honor, trust, or profit in this State, until he shall have duly accounted for and paid over such money according to law.

15. No Senator or Delegate, during the term for which he shall have been elected, shall be elected or appointed to any civil office of profit under this State, which has been created, or the emoluments of which have been increased during such term, except offices to be filled by election, by the people. Nor shall any member of the Legislature be interested, directly or indirectly, in any contract, with the State, or any county thereof, authorized by any law passed during the term for which he shall have been elected.

16. Members of the Legislature, before they enter upon their duties, shall take and subscribe the following oath, or affirmation: "I do solemnly swear (or affirm), that I will support the Constitution of the United States, and the Constitution of the State of West Virginia, and faithfully discharge the duties of Senator (or Delegate), according to the best of my ability;" and they shall also take this further oath, to-wit: "I will not accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company, or person, for any vote or influence I may give or withhold, as Senator (or Delegate), on any bill, resolution or appropriation, or for any act I may do or perform as Senator (or Delegate)." These oaths shall be administered in the hall of the house to which the member is elected, by a Judge of the Supreme Court of Appeals, or of a Circuit Court, or by any other person authorized by law to administer an oath; and the Secretary of State shall record and file said oaths subscribed by each member; and no other oath or declaration shall be required as a qualification. Any member who shall refuse to take the oath herein prescribed, shall forfeit his seat; and any member who shall be convicted of having violated the oath, last above required to be taken, shall forfeit his seat, and be disqualified thereafter from holding any office of profit or trust in this State.

17. Members of the Legislature shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during the session, and for ten days before and after the same;

and for words spoken in debate or any report, motion or proposition, made in either House, a member shall not be questioned in any other place.

18. The Legislature shall assemble at the seat of government biennially, and not oftener, unless convened by the Governor. The first session of the Legislature, after the adoption of this Constitution, shall commence on the third Tuesday of November, 1872; and the regular biennial session of the Legislature shall commence on the second Wednesday of January, 1875, and every two years thereafter, on the same day.

19. The Governor may convene the Legislature by proclamation whenever, in his opinion, the public safety or welfare shall require it. It shall be his duty to convene it, on application in writing, of three fifths of the members elected to each House.

20. The seat of government shall be at Charleston, until otherwise provided by law.

21. The Governor may convene the Legislature at another place, when, in his opinion, it cannot safely assemble at the seat of government; and the Legislature may, when in session, adjourn to some other place, when in its opinion the public safety or welfare, or the safety of the members, or their health, shall require it.

22. No session of the Legislature, after the first, shall continue longer than forty-five days, without the concurrence of two-thirds of the members elected to each House.

23. Neither House shall, during the session, adjourn for more than three days without the consent of the other. Nor shall either, without such consent, adjourn to any other place than that in which the Legislature is sitting.

24. A majority of the members, elected to each House of the Legislature, shall constitute a quorum. But a smaller number may adjourn from day to day, and shall be authorized to compel the attendance of absent members, as each House may provide. Each House shall determine the rules of its proceedings, and be the judge of the elections, returns and qualifications, of its own members. The Senate shall choose, from its own body, a President; and the House of Delegates, from its own body, a Speaker. Each House shall appoint its own officers and remove them at pleasure.

The oldest delegate present shall call the House to order, at the opening of each new House of Delegates, and preside over it until the Speaker thereof shall have been chosen, and have taken his seat. The oldest member of the Senate present, at the commencement of each regular session thereof, shall call the Senate to order, and preside over the same until a President of the Senate shall have been chosen and have taken his seat.

25. Each House may punish its own members for disorderly behavior, and with the concurrence of two thirds of the members elected thereto, expel a member, but not twice for the same offense.

26. Each House shall have power to provide for its own safety, and the undisturbed transaction of its business, and may punish by imprisonment, any person not a member, for disrespectful behavior in its presence; for obstructing any of its proceedings, or any of its officers in the discharge of his duties, or for any assault, threat or abuse of a member, for words spoken in debate. But such imprisonment shall not extend beyond the termination of the session, and shall not prevent the punishment of any offense by the ordinary course of law.

27. Laws shall be enacted and enforced, by suitable provisions and penalties, requiring sheriffs, and all other officers, whether State, county, district or municipal, who shall collect or receive, or whose official duty it is, or shall be, to collect, receive, hold, or pay out any money belonging to, or which is, or shall be, for the use of the State or of any county, district or municipal corporation, to make annual account and settlement therefor. Such settlement, when made, shall be subject to exceptions, and take such direction, and have only such force and effect, as may be provided by law; but in all cases, such settlement shall be recorded, and be open to the examination of the people at such convenient place or places, as may be appointed by law.

28. Bills and resolutions may originate in either House, but may be passed, amended or rejected by the other.

29. No bill shall become a law, until it has been fully and distinctly read, on three different days in each House, unless, in case of urgency, by a vote of four-fifths of the members present, taken by yeas and nays on each bill, this rule be dispensed with: *Pro-*

*vided*, in all cases, that an engrossed bill shall be fully and distinctly read in each House.

30. No act hereafter passed, shall embrace more than one object, and that shall be expressed in the title. But if any object shall be embraced in an act, which is not so expressed, the act shall be void only as to so much thereof as shall not be so expressed, and no law shall be revived, or amended, by reference to its title only; but the law revived, or the section amended, shall be inserted at large, in the new act. And no act of the Legislature, except such as may be passed at the first session under this Constitution, shall take effect, until the expiration of ninety days after its passage, unless the Legislature shall, by a vote of two-thirds of the members elected to each House, taken by yeas and nays, otherwise direct.

31. When a bill, or joint resolution, passed by one House, shall be amended by the other, the question on agreeing to the bill, or joint resolution, as amended, shall be again voted on, by yeas and nays, in the House by which it was originally passed, and the result entered upon its journals; in all such cases, the affirmative vote of a majority of all the members elected to such House shall be necessary;

32. Whenever the words, "a majority of the members elected to either House of the Legislature," or words of like import, are used in this Constitution, they shall be construed to mean a majority of the whole number of members to which each House is, at the time, entitled, under the apportionment of representation, established by the provisions of this Constitution.

33. The members of the Legislature shall each receive for their services, the sum of four dollars per day, and ten cents for each mile traveled in going to, and returning from, the seat of government, by the most direct route. The Speaker of the House of Delegates, and the President of the Senate, shall each receive an additional compensation of two dollars per day for each day they shall act as presiding officers. No other allowance or emolument than that by this section provided, shall directly or indirectly be made or paid to the members of either House, for postage, stationery, newspapers, or any other purpose whatever.

34. The Legislature shall provide by law, that the fuel, station-

ery and printing paper, furnished for the use of the State; the copying, printing, binding and distributing the laws and journals; and all other printing ordered by the Legislature, shall be let by contract to the lowest responsible bidder, bidding under a maximum price to be fixed by the Legislature; and no member or officer thereof, or officer of the State, shall be interested, directly or indirectly, in such contract, but all such contracts shall be subject to the approval of the Governor, and in case of his disapproval of any such contract, there shall be a reletting of the same in such manner as may be prescribed by law.

35. The State of West Virginia shall never be made defendant in any court of law or equity.

36. The Legislature shall have no power to authorize lotteries, or gift enterprises, for any purpose, and shall pass laws to prohibit the sale of lottery, or gift enterprise tickets, in this State.

37. No law shall be passed after the election of any public officer, which shall operate to extend the term of his office.

38. No extra compensation shall be granted or allowed to any public officer, agent, servant or contractor, after the services shall have been rendered or the contract made; nor shall any Legislature authorize the payment of any claim, or part thereof, hereafter created against the State, under any agreement or contract made, without express authority of law; and all such unauthorized agreements shall be null and void. Nor shall the salary of any public officer be increased, or diminished, during his term of office, nor shall any such officer, or his or their sureties, be released from any debt or liability due to the State: *Provided*, The Legislature may make appropriations for expenditures hereafter incurred, in suppressing insurrection, or repelling invasion.

39. The Legislature shall not pass local or special laws, in any of the following enumerated cases; that is to say, for

Granting divorces;

Laying out, opening, altering and working roads or highways;

Vacating roads, town plats, streets, alleys and public grounds;

Locating or changing county seats;

Regulating or changing county or district affairs;

Providing for the sale of church property; or property held for charitable uses;



Regulating the practice in courts of justice ;

Incorporating cities, towns or villages, or amending the charter of any city, town or village, containing a population of less than two thousand ;

Summoning or impaneling grand or petit juries ;

The opening or conducting of any election, or designating the place of voting ;

The sale or mortgage of real estate, belonging to minors, or others under disability ;

Chartering, licensing, or establishing ferries, or toll bridges ;

Remitting fines, penalties or forfeitures ;

Changing the law of descent ;

Regulating the rate of interest ;

Authorizing deeds to be made for land sold for taxes ,

Releasing Taxes ;

Releasing title to forfeited lands.

The Legislature shall provide, by general laws, for the foregoing and all other cases for which provision can be so made ; and in no case shall a special act be passed, where a general law would be proper, and can be made applicable to the case, nor in any other case in which the courts have jurisdiction, and are competent to give the relief asked for.

40. The Legislature shall not confer upon any court, or judge, the power of appointment to office, further than the same is herein provided for.

41. Each House shall keep a journal of its proceedings, and cause the same to be published from time to time, and all bills and joint resolutions shall be described therein, as well by their title as their number, and the yeas and nays on any question, if called for by one-tenth of those present, shall be entered on the journal.

42. Bills making appropriations for the pay of members and officers of the Legislature, and for salaries for the officers of the government, shall contain no provision on any other subject.

43. The Legislature shall never authorize or establish any board, or court of registration of voters.

44. In all elections to office which may hereafter take place in the Legislature, or in any county, or municipal body, the vote shall be *viva voce*, and be entered on its journals.

45. It shall be the duty of the Legislature, at its first session after the adoption of this Constitution to provide, by law, for the punishment by imprisonment in the penitentiary, of any person who shall bribe, or attempt to bribe, any executive or judicial officer of this State, or any member of the Legislature, in order to influence him, in the performance of any of his official or public duties; and, also, to provide by law, for the punishment by imprisonment in the penitentiary, of any of said officers, or any member of the Legislature, who shall demand, or receive, from any corporation, company or person, any money, testimonial, or other valuable thing, for the performance of his official or public duties, or for refusing, or failing to perform the same, or for any vote or influence, a member of the Legislature may give or withhold as such member; and, also, to provide by law, for compelling any person, so bribing or attempting to bribe, or so demanding or receiving a bribe, fee, reward or testimonial, to testify against any person or persons who may have committed any of said offenses: *Provided*, That any person compelled to testify, shall be exempted from trial and punishment for the offense of which he may have been guilty, and concerning which he is compelled to testify; and any person convicted of any of the offenses specified in this section, shall, as a part of the punishment thereof, be forever disqualified from holding any office, or position of honor, trust or profit, in this State.

46. Laws may be passed regulating or prohibiting the sale of intoxicating liquors within the limits of this State.

47. No charter of incorporation shall be granted to any church, or religious denomination. Provision may be made by general laws for securing the title to church property, and for the sale and transfer thereof, so that it shall be held, used, or transferred for the purposes of such church, or religious denomination.

48. Any husband or parent, residing in this State, or the infant children of deceased parents, may hold a homestead of the value of one thousand dollars, and personal property to the value of two hundred dollars, exempt from force sale, subject to such regulations as shall be prescribed by law: *Provided*, That such homestead exemption shall in no wise affect debts or liabilities existing at the time of the adoption of this Constitution: *And provided further*, That no property shall be exempt from sale for taxes due

thereon, or for the payment of purchase money due upon said property, or for debts contracted for the erection of improvements thereon.

49. The Legislature shall pass such laws as may be necessary to protect the property of married women from the debts, liabilities, and control of their husbands.

50. The Legislature may provide for submitting to a vote of the people at the general election to be held in 1876, or at any general election thereafter, a plan or scheme of proportional representation in the Senate of this State; and if a majority of the votes cast at such election be in favor of the plan submitted to them, the Legislature shall at its session succeeding such election, rearrange the Senatorial Districts in accordance with the plan so approved by the people.

## ARTICLE VII.

### EXECUTIVE DEPARTMENT.

1. The Executive Department shall consist of a Governor, Secretary of State, State Superintendent of Free Schools, Auditor, Treasurer, and Attorney General, who shall be, *ex officio*, Reporter of the Court of Appeals. Their terms of office, respectively, shall be four years, and shall commence on the fourth day of March next after their election. They shall, except the Attorney General, reside at the seat of government during their terms of office, and keep there the public records, books and papers, pertaining to their respective offices, and shall perform such duties as may be prescribed by law.

### ELECTION.

2. An election for Governor, State Superintendent of Free Schools, Auditor, Treasurer and Attorney General, shall be held at such times and place as may be prescribed in this Constitution, or by general law.

3. The returns of every election for the above named officers, shall be sealed up and transmitted by the returning officers to the Secretary of State, directed, "to the Speaker of the House of Delegates," who shall, immediately after the organization of the House and before proceeding to business, open and publish the

same, in the presence of a majority of each House of the Legislature, which shall, for that purpose, assemble in the hall of the House of Delegates. The person having the highest number of votes for either of said offices, shall be declared duly elected there-to; but if two or more have an equal and the highest number of votes for the same office, the Legislature shall, by joint vote, choose one of such persons for said office. Contested elections for the office of Governor, shall be determined by both Houses of the Legislature, by joint vote, in such manner as may be prescribed by law. The Secretary of State shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall continue in office, unless sooner removed, until the expiration of the official term of the Governor, by whom he shall have been appointed.

#### ELIGIBILITY.

4. Neither the Governor, State Superintendent of Free Schools, Auditor, Treasurer nor Attorney General, shall hold any other office during the term of his service. The governor shall be ineligible to said office, for the four years, next succeeding the term for which he was elected.

5. The chief executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed.

6. The Governor shall, at the commencement of each session, give to the Legislature information, by message, of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall accompany his message with a statement of all money received and paid out by him, from any funds, subject to his order, with vouchers therefor; and at the commencement of each regular session present estimates of the amount of money required by taxation for all purposes.

7. The Governor may, on extraordinary occasions, convene, at his own instance, the Legislature; but when so convened it shall enter upon no business, except that stated in the proclamation by which it was called together.

8. The Governor shall nominate, and by and with the advice and consent of the Senate, (a majority of all the Senators elected concurring by yeas and nays) appoint all officers whose offices are

established by this Constitution, or shall be created by law, and whose appointment or election is not otherwise provided for; and no such officers shall be appointed or elected by the Legislature.

9. In case of a vacancy, during the recess of the Senate, in any office which is not elective, the Governor shall, by appointment, fill such vacancy until the next meeting of the Senate, when he shall make a nomination for such office, and the person so nominated, when confirmed by the Senate, (a majority of all the Senators elected concurring by yeas and nays), shall hold his office during the remainder of the term, and until his successor shall be appointed and qualified. No person, after being rejected by the Senate, shall be again nominated to the same office, during the same session, unless at the request of the Senate; nor shall such person be appointed to the same office during the recess of the Senate.

10. The Governor shall have power to remove any officer, whom he may appoint, in case of incompetency, neglect of duty, gross immorality, or malfeasance in office; and he may declare his office vacant, and fill the same, as herein provided in other cases of vacancy.

11. The Governor shall have power to remit fines and penalties, in such cases, and under such regulations, as may be prescribed by law; to commute capital punishment, and, except where the prosecution has been carried on by the House of Delegates, to grant reprieves and pardons, after conviction; but he shall communicate to the Legislature at each session, the particulars of every case of fine or penalty remitted, of punishment commuted, and of reprieve or pardon granted, with his reasons therefor.

12. The Governor shall be commander-in chief of the military forces of the State, (except when they shall be called into the service of the United States) and may call out the same, to execute the laws, suppress insurrection, and repel invasion.

13. When any State officer has executed his official bond, the Governor shall, for such causes, and in such manner as the Legislature may direct, require of such officer reasonable additional security; and if the security is not given as required, his office shall be declared vacant, in such manner as may be provided by law.

14. Every bill passed by the Legislature shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if not, he shall return it, with his objections, to the House in which it originated, which House shall enter the objections at large upon its journal, and proceed to re consider it. If, after such reconsideration, a majority of the members elected to that House agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall, likewise, be reconsidered, and if approved by a majority of the members elected to that House, it shall become a law, notwithstanding the objections of the Governor. But in all such cases, the vote of each House shall be determined by yeas and nays, to be entered on the journal. Any bill, which shall not be returned to the Governor within five days (Sunday excepted) after it shall have been presented to him, shall be a law, in like manner as if he had signed it, unless the Legislature shall, by their adjournment, prevent its return, in which case it shall be filed, with his objections, in the office of the Secretary of State, within five days after such adjournment, or become a law.

15. Every bill passed by the Legislature, making appropriations of money, embracing distinct items, shall, before it becomes a law, be presented the Governor; if he disapprove the bill, or any item or appropriation therein contained, he shall communicate such disapproval, with his reasons therefor, to the House in which the bill originated; but all items not disapproved shall have the force and effect of law, according to the original provisions of the bill. Any item, or items, so disapproved shall be void, unless repassed by a majority of each House, according to the rules and limitations prescribed in the preceding section in reference to other bills.

16. In case of the death, conviction on impeachment, failure to qualify, resignation, or other disability of the Governor, the President of the Senate shall act as Governor, until the vacancy is filled, or the disability removed; and if the President of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House of Delegates; and in all other cases, where there is no one to act as Governor, one shall be chosen by joint vote of the Legislature. Whenever a vacancy shall occur in the office of Governor, before the first three years of the term

shall have expired, a new election for Governor shall take place to fill the vacancy.

17. If the office of Auditor, Treasurer, State Superintendent of Free Schools, or Attorney General, shall become vacant by death, resignation, or otherwise, it shall be the duty of the Governor to fill the same appointment, and the appointee shall hold his office until his successor shall be elected and qualified, in such manner as may be provided by law.

The subordinate officers of the Executive Department, and the officers of all public institutions of the State, shall keep an account of all moneys received or disbursed by them respectively, from all sources, and for every service performed, and make a semi annual report thereof to the Governor, under oath or affirmation; and any officer who shall wilfully make a false report, shall be deemed guilty of perjury.

18. The subordinate officers of the Executive Department, and the officers of all the public institutions of the State, shall, at least ten days preceding each regular session of the Legislature, severally report to the Governor, who shall transmit such report to the Legislature; and the Governor may at any time require information in writing, under oath, from the officers of his department, and all officers and managers of State institutions, upon any subject relating to the condition, management, and expenses, of their respective offices.

19. The Governor shall receive for his services a salary of twenty-seven hundred dollars per annum, and no additional emolument, allowance or perquisite, shall be paid or made to him, on any account. Any person acting as Governor shall receive the emoluments of that office. The Secretary of State shall receive one thousand; the State Superintendent of Free Schools, fifteen hundred; the Treasurer, fourteen hundred; the Auditor, two thousand; and the Attorney General, thirteen hundred dollars per annum; and no additional emolument or allowance, except as herein otherwise provided, shall be paid or made out of the treasury of the State to any of the foregoing executive officers on any account.

## ARTICLE VIII.\*

## JUDICIAL DEPARTMENT.

1. The judicial power of the State shall be vested in a Supreme Court of Appeals, in Circuit Courts, and the Judges thereof; in such inferior tribunals as are herein authorized, and in Justices of the Peace.

## SUPREME COURT OF APPEALS.

2. The Supreme Court of Appeals shall consist of four Judges, any three of whom shall be a quorum for the transaction of business. They shall be elected by the voters of the State, and hold their office for the term of twelve years, unless sooner removed in the manner prescribed by this Constitution, except that the Judges in office when this article takes effect shall remain therein until the expiration of their present term of office.

3. It shall have original jurisdiction in cases of *habeas corpus*, *mandamus*, and prohibition. It shall have appellate jurisdiction in civil cases where the matter in controversy, exclusive of costs, is of greater value or amount than one hundred dollars; in controversies concerning the title or boundaries of land, the probate of wills, the appointment or qualification of a personal representative, guardian, committee or curator; or concerning a mill, road, way, ferry or landing; or the right of a corporation or county to levy tolls or taxes; and also in cases of *quo warranto*, *habeas corpus*, *mandamus*, *certiorari* and *prohibition*, and in cases involving freedom or the constitutionality of a law. It shall have appellate jurisdiction in criminal cases where there has been a conviction for felony or misdemeanor in a Circuit Court, and where a conviction has been had in any inferior court and been affirmed in a circuit court, and in cases relating to the public revenue, the right of appeal shall belong to the State as well as the defendant, and such other appellate jurisdiction, in both civil and criminal cases, as may be prescribed by law.

4. No decision rendered by the Supreme Court of Appeals shall be considered as binding authority upon any of the inferior courts of this State, except in the particular case decided, unless such decision is concurred in by at least three judges of said court.

\*Agreed to by the Legislature in 1879, and ratified in October, 1880.



5. When a judgment or decree is reversed or affirmed by the Supreme Court of Appeals, every point fairly arising upon the record of the case shall be considered and decided; and the reasons therefor shall be concisely stated in writing, and preserved with the record of the case; and it shall be the duty of the court to prepare a syllabus of the points adjudicated in each case concurred in by three of the judges thereof, which shall be prefixed to the published report of the case.

6. A writ of error, *supersedeas* or appeal shall be allowed only by the Supreme Court of Appeals or a judge thereof, upon a petition assigning error in the judgment or proceedings of the inferior court, and then only after said court or judge shall have examined and considered the record and assignment of errors, and is satisfied that there is error in the same, or that it presents a point proper for the consideration of the Supreme Court of Appeals.

7. If from any cause a vacancy shall occur in the Supreme Court of Appeals, the Governor shall issue a writ of election to fill such vacancy at the next general election for the residue of the term; and in the meantime he shall fill such vacancy by appointment until a judge is elected and qualified. But if the unexpired term be less than two years the Governor shall fill such vacancy by appointment for the unexpired term.

8. The officers of the Supreme Court of Appeals, except the reporter, shall be appointed by the court, or, in vacation, by the judges thereof, with the power of removal; their duties and compensation shall be prescribed by law.

9. There shall be at least two terms of the Supreme Court of Appeals held annually, at such times and places as may be prescribed by law.

#### CIRCUIT COURTS.

10. The State shall be divided into thirteen circuits. For the circuit hereinafter called the first, two judges shall be elected, and for each of the other circuits one judge shall be elected, by the voters thereof. Each of the judges so elected shall hold his office for the term of eight years, unless sooner removed in the manner prescribed in this Constitution. The judges of the circuit courts in office, when this article takes effect, shall remain therein

until the expiration of the term for which they have been elected in the circuits in which they may respectively reside, unless sooner removed as aforesaid. A vacancy in the office of a judge of the circuit court shall be filled in the same manner as is provided for in the case of a vacancy in the office of a judge of the supreme court of appeals. During his continuance in office the judge of a circuit court shall reside in the circuit of which he is judge. The business of the first circuit may be apportioned between the judges thereof, and such judges may hold courts in the same county, or in different counties, within the circuit, at the same time or at different times, as may be prescribed by law.

11. A circuit court shall be held in every county in the State at least three times in each year, and provisions may be made by law for holding special terms of said court. A judge of any circuit may hold the courts in another circuit.

12. The Circuit Court shall have the supervision and control of all proceedings before justices, and other inferior tribunals, by *mandamus*, *prohibition* and *certiorari*. They shall, except in cases confined exclusively by this Constitution to some other tribunal, have original and general jurisdiction of all matters at law where the amount in controversy, exclusive of interest, exceeds fifty dollars; of all cases of *habeas corpus*, *mandamus*, *quo warranto* and *prohibition*; and of all cases in equity, and of all crimes and misdemeanors. They shall have appellate jurisdiction in all cases, civil and criminal, where an appeal, writ of error or *super-sedeas*, may be allowed to the judgment or proceedings of any inferior tribunal. They shall also have such other jurisdiction, whether supervisory, original, appellate, or concurrent, as is or may be prescribed by law.

13. Until otherwise provided by law, the State shall be divided into the following circuits: The counties of Brooke, Hancock, Ohio and Marshall, shall constitute the first circuit; the counties of Monongalia, Marion and Harrison, the second; the counties of Preston, Taylor, Barbour, Tucker and Randolph, the third; the counties of Wetzell, Tyler, Ritchie and Doddridge, the fourth; the counties of Wood, Wirt and Pleasants, the fifth; the counties of Olay, Gilmer, Jackson, Roane and Calhoun, the sixth; the counties of Putnam, Kanawha and Mason, the seventh; the counties of Cabell, Wayne, Lincoln and Logan, the eighth; the counties of

McDowell, Mercer, Raleigh, Wyoming and Boone, the ninth; the counties of Greenbrier, Monroe, Summers, Fayette and Pocahontas, the tenth; the counties of Upshur, Lewis, Braxton, Nicholas and Webster, the eleventh; the counties of Grant, Hardy, Hampshire, Mineral and Pendleton, the twelfth; the counties of Jefferson, Berkeley and Morgan, the thirteenth.

14. The Legislature may re-arrange the circuits herein provided for at any session thereof next preceding any general election of the judges of said circuits, and after the year one thousand eight hundred and eighty-eight, may at any such session, increase or diminish the number thereof.

15. The Legislature shall provide by law for holding regular and special terms of the circuit courts where, from any cause, the judge shall fail to attend, or, if in attendance, cannot properly preside.

#### GENERAL PROVISIONS.

16. All judges shall be commissioned by the Governor. The salary of a Judge of the Supreme Court of Appeals shall be two thousand two hundred dollars per annum, and that of a Judge of the Circuit Court shall be one thousand eight hundred dollars per annum; and each shall receive the same mileage as members of the Legislature; *Provided*, That Ohio county may pay an additional sum per annum to the Judges of the Circuit Court thereof; but such allowance shall not be increased or diminished during the term of office of the judges to whom it may have been made. No judge during his term of office shall practice the profession of law or hold any other office, appointment or public trust, under this or any other government, and the acceptance thereof shall vacate his judicial office. Nor shall he during his continuance therein be eligible to any political office.

17. Judges may be removed from office by a concurrent vote of both Houses of the Legislature, when from age, disease, mental or bodily infirmity, or intemperance, they are incapable of discharging the duties of their office. But two-thirds of all the members elected to each house must concur in such vote, and the cause of removal shall be entered upon the journal of each house. The Judge against whom the Legislature may be about to proceed shall receive notice thereof, accompanied with the cause alleged for his

removal, at least twenty days before the day on which action is proposed to be taken therein.

18. The voters of each county shall elect a clerk of the Circuit Court, whose term of office shall be six years; his duties and compensation and the manner of removing him from office shall be prescribed by law; and when a vacancy shall occur in the office, the Circuit Court or the Judge thereof in vacation, shall fill the same by appointment until the next general election. In any case in respect to which the clerk shall be so situated as to make it improper for him to act, the said court shall appoint a clerk to act therein. The clerks of said courts in office when this article takes effect, shall remain therein for the term for which they were elected, unless sooner removed in the manner prescribed by law.

19. The Legislature may establish courts of limited jurisdiction within any county, incorporated city, town or village, with the right of appeal to the Circuit Court, subject to such limitations as may be prescribed by law; and all courts of limited jurisdiction heretofore established in any county, incorporated city, town or village, shall remain as at present constituted, until otherwise provided by law. The Municipal Court of Wheeling shall continue in existence until otherwise provided by law, and said Court, and the Judge thereof, shall exercise the powers and jurisdiction heretofore conferred upon them; and appeals in civil cases from said court shall lie directly to the Supreme Court of Appeals.

20. No citizen of this State who aided or participated in the late war between the government of the United States and a part of the people thereof, on either side, shall be liable in any proceeding, civil or criminal; nor shall his property be seized or sold under final process issued upon judgments or decrees heretofore rendered, or otherwise, because of any act done in accordance with the usages of civilized warfare in the prosecution of said war. The Legislature shall provide, by general laws, for giving full force and effect to this section.

21. Such parts of the common law, and of the laws of this State, as are in force when this article goes into operation, and are not repugnant thereto, shall be and continue the law of the State until altered or repealed by the Legislature. All civil and criminal suits and proceedings pending, in the former Circuit Courts of this

State, shall remain and be proceeded in before the Circuit Courts of the counties in which they were pending.

## COUNTY COURTS.

22. There shall be in each county of the State a County Court, composed of three commissioners, and two of said commissioners shall be a quorum for the transaction of business. It shall hold four regular sessions in each year, at such times as may be fixed upon and entered of record by the said court. Provisions may be made by law for holding special sessions of said court.

23. The commissioners shall be elected by the voters of the county, and hold their office for the term of six years, except, that at the first meeting of said commissioners they shall designate by lot or otherwise, in such manner as they may determine, one of their number, who shall hold his office for the term of two years, one for four years, and one for six years, so that one shall be elected every two years. But no two of said commissioners shall be elected from the same magisterial district. And if two or more persons residing in the same district shall receive the greater number of votes cast at any election, then only the one of such persons receiving the highest number shall be declared elected, and the person living in another district, who shall receive the next highest number of votes, shall be declared elected. Said commissioners shall annually elect one of their number as president, and each shall receive two dollars per day for his services in court, to be paid out of the county treasury.

24. The County Courts, through their clerks, shall have the custody of all deeds and other papers presented for record in their counties, and the same shall be preserved therein, or otherwise disposed of, as now is, or may be, prescribed by law. They shall have jurisdiction in all matters of probate, the appointment and qualification of personal representatives, guardians, committees, curators, and the settlement of their accounts, and in all matters relating to apprentices. They shall also, under such regulations as may be prescribed by law, have the superintendence and administration of the internal police and fiscal affairs of their counties, including the establishment and regulation of roads, ways, bridges, public landings, ferries and mills, with authority to lay and disburse the county levies: *Provided*, That no license for the

sale of intoxicating liquors in any incorporated city, town or village, shall be granted without the consent of the municipal authorities thereof, first had and obtained. They shall, in all cases of contest, judge of the election, qualification and returns of their own members, and of all county and district officers, subject to such regulation, by appeal or otherwise, as may be prescribed by law. Such courts may exercise such other powers and perform such other duties, not of a judicial nature, as may be prescribed by law. And provision may be made, under such regulations as may be prescribed by law, for the probate of wills, and for the appoint and qualification of personal representatives, guardians, committees and curators, during the recess of the regular sessions of the County Court. Such tribunals as have been heretofore established by the Legislature, under and by virtue of the thirty-fourth section of the eighth Article of the Constitution, of one thousand eight hundred and seventy-two, for police and fiscal purposes, shall, until otherwise provided by law, remain and continue as at present constituted in the counties in which they have been respectively established, and shall be and act, as to police and fiscal matters, in lieu of the County Court created by this Article, until otherwise provided by law. And, until otherwise provided by law, such clerk, as is mentioned in the twenty sixth section of this article, shall exercise any powers and discharge any duties heretofore conferred on, or required of, any court or tribunal established for judicial purposes under the said article and section of the Constitution, of one thousand eight hundred and seventy-two, or the clerk of such court or tribunal respectively, respecting the recording and preservation of deeds and other papers presented for record, matters of probate, the appointment and qualification of personal representatives, guardians, committees, curators and the settlement of their accounts, and in all matters relating to apprentices.

25. All actions, suits and proceedings not embraced in the next preceding section, pending in a County Court when this article takes effect, together with the records and papers pertaining thereto, as well as all records and papers pertaining to such actions, suits and proceedings, as have already been disposed of by said courts, shall be transmitted to and filed with the clerk of the Circuit Court of the county, to which office all process outstanding at the time this article goes into operation shall be returned; and said

clerk shall have the same power and shall perform the same duties in relation to such records, papers and proceedings, as were vested in and required of the clerk of the County Court, on the day before this article shall take effect. All such actions, suits and proceedings, so pending as aforesaid, shall be docketed, proceeded in, tried, heard and determined in all respects by the Circuit Court, as if said suits and proceedings had originated in said court.

26. The voters of each county shall elect a clerk of the County Court, whose term of office shall be six years. His duties and compensation, and the manner of his removal, shall be prescribed by law. But the clerks of said courts, now in office, shall remain therein for the term for which they have been elected, unless sooner removed therefrom, in the manner prescribed by law.

27. Each county shall be laid off into districts, not less than three nor more than ten in number, and as nearly equal as may be in territory and population. There shall be elected in each district, containing a population not exceeding twelve hundred, one justice of the peace, and if the population exceeds that number, two such justices shall be elected therein. Every justice shall reside in the district for which he was elected, and hold his office for the term of four years, unless sooner removed in the manner prescribed by law. The districts as they now exist, shall remain till changed by the County Court.

28. The civil jurisdiction of a justice of the peace shall extend to actions of assumpsit, debt, detinue, and trover, if the amount claimed, exclusive of interest, does not exceed three hundred dollars. The jurisdiction of justices of the peace shall extend throughout their county; they shall be conservators of the peace, and have such jurisdiction and power in criminal cases as may be prescribed by law. And justices of the peace shall have authority to take the acknowledgement of deeds, and other writings, and administer oaths, and take and certify depositions. And the legislature may give to justices such additional civil jurisdiction and powers within their respective counties as may be deemed expedient, under such regulations and restrictions as may be prescribed by general law, except, that in suits to recover money or damages their jurisdiction and power shall in no case exceed three hundred dollars. Appeals shall be allowed from judgments of justices of the peace in such manner as may be prescribed by law.

29. The Legislature shall, upon the application of any county, reform, alter or modify the County Court established by this article in such county, and in lieu thereof, with the assent of a majority of the voters of such county, voting at an election, create another tribunal for the transaction of the business required to be performed by the County Court created by this article; and in such case all the provisions of this article in relation to the County Court shall be applicable to the tribunal established in lieu of said court. And when such tribunal has been established, it shall continue to act in lieu of the County Court until otherwise provided by law.

30. The office of commissioner and justice of the peace shall be deemed incompatible. Vacancies in the office of commissioner, clerk of the County Court and justices of the peace, shall be filled by the County Court of the county, until the next general election.

## ARTICLE IX.

### COUNTY ORGANIZATION.

1. The voters of each county shall elect a Surveyor of Lands, a Prosecuting Attorney, a Sheriff, and one, and not more than two, Assessors, who shall hold their respective offices for a term of four years.

2. There shall also be elected in each district of the county, by the voters thereof, one constable, and if the population of any district shall exceed twelve hundred, an additional constable, whose term of office shall be four years, and whose powers as such shall extend throughout their county. The assessor shall, with the advice and consent of the County Court, have the power to appoint one or more assistants. Coroners, overseers of the poor, and surveyors of roads, shall be appointed by the County Court. The foregoing officers, except the Prosecuting Attorneys, shall reside in the county and district for which they shall be respectively elected.

3. The same person shall not be elected Sheriff for two consecutive full terms; nor shall any person who acted as his deputy be elected successor to such Sheriff, nor shall any Sheriff act as deputy



of his successor ; nor shall he, during his term of service, or within one year thereafter, be eligible to any other office. The retiring Sheriff shall finish all business remaining in his hands, at the expiration of his term ; for which purpose his commission and official bond shall remain in force. The duties of the office of Sheriff shall be performed by him, in person, or under his superintendence.

4. The Presidents of the County Courts, the Justices of the Peace, Sheriffs, Prosecuting Attorneys, Clerks of the Circuit and of the County Courts, and all other county officers, shall be subject to indictment for malfeasance, misfeasance, or neglect of official duty, and upon conviction thereof, their offices shall become vacant.

5. The Legislature shall provide for commissioning such of the officers herein mentioned, as it may deem proper, not provided for in this Constitution, and may require any class of them to give bond with security, for the faithful discharge of the duties of their respective offices.

6. It shall further provide for the compensation, the duties and responsibilities of such officers, and may provide for the appointment of their deputies and assistants by general law.

7. The President of the County Court, and every Justice and Constable, shall be a conservator of the peace throughout his county.

8. No new county shall hereafter be formed in this State, with an area of less than four hundred square miles ; nor with a population of less than six thousand ; nor shall any county, from which a new county, or part thereof shall be taken, be reduced in area below four hundred square miles, nor in population below six thousand. Nor shall any new county be formed without the consent of a majority of the voters residing within the boundaries of the proposed new county, and voting on the question.

---

## ARTICLE X.

### TAXATION AND FINANCE.

1. Taxation shall be equal and uniform throughout the State, and all property, both real and personal, shall be taxed in propor-

tion to its value, to be ascertained as directed by law. No one species of property, from which a tax may be collected, shall be taxed higher than any other species of property of equal value; but property used for educational, literary, scientific, religious or charitable purposes; all cemeteries and public property, may, by law, be exempted from taxation. The Legislature shall have power to tax, by uniform and equal laws, all privileges and franchises of persons and corporations.

2. The Legislature shall levy an annual capitation tax of one dollar upon each male inhabitant of the State, who has attained the age of twenty-one years, which shall be annually appropriated to the support of free schools. Persons afflicted with bodily infirmity may be exempted from this tax.

3. No money shall be drawn from the treasury but in pursuance of an appropriation made by law, and on a warrant issued thereon by the Auditor; nor shall any money, or fund, be taken for any other purpose than that for which it has been, or may be, appropriated, or provided. A complete and detailed statement of the receipts and expenditures of the public moneys, shall be published annually.

4. No debt shall be contracted by this State, except to meet casual deficits in the revenue, to redeem a previous liability of the State, to suppress insurrection, repel invasion, or defend the State in time of war; but the payment of any liability, other than that for the ordinary expenses of the State, shall be equally distributed over a period of at least twenty years.

5. The power of taxation of the Legislature shall extend to provisions for the payment of the State debt, and interest thereon, the support of Free Schools, and the payment of the annual estimated expenses of the State; but whenever any deficiency in the revenue shall exist in any year, it shall, at the regular session thereof held next after the deficiency occurs, levy a tax for the ensuing year, sufficient, with the other sources of income, to meet such deficiency, as well as the estimated expenses of such year.

6. The credit of the State shall not be granted to, or in aid of, any county, city, township, corporation, or person; nor shall the State ever assume, or become responsible for, the debts, or liabilities, of any county, city, town, township, corporation, or person;

nor shall the State ever hereafter become a joint owner, or stockholder, in any company, or association, in this State or elsewhere, formed for any purpose whatever.

7. County authorities shall never assess taxes, in any one year, the aggregate of which shall exceed ninety-five cents per one hundred dollars valuation, except for the support of Free Schools; payment of indebtedness existing at the time of the adoption of this Constitution; and for the payment of any indebtedness, with the interest thereon, created under the succeeding section, unless such assessment, with all questions involving the increase of such aggregate, shall have been submitted to the vote of the people of the county, and have received three-fifths of all the votes cast for and against it.

8. No county, city, school district, or municipal corporation, except in cases where such corporations have already authorized their bonds to be issued, shall hereafter be allowed to become indebted in any manner, or for any purpose, to an amount, including existing indebtedness, in the aggregate, exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness; nor without, at the same time, providing for the collection of a direct annual tax, sufficient to pay, annually, the interest on such debt, and the principal thereof within, and not exceeding, thirty four years: *Provided*, That no debt shall be contracted under this section, unless all questions connected with the same, shall have been first submitted to a vote of the people, and have received three-fifths of all the votes cast for and against the same.

9. The Legislature may, by law, authorize the corporate authorities of cities, towns, and villages, for corporate purposes, to assess and collect taxes; but such taxes shall be uniform, with respect to persons and property within the jurisdiction of the authority imposing the same.

## ARTICLE XI.

### CORPORATIONS.

1. The Legislature shall provide for the organization of all corporations hereafter to be created, by general laws, uniform as to

the class to which they relate ; but no corporation shall be created by special law : *Provided*, That nothing in this section contained, shall prevent the Legislature from providing, by special laws, for the connection, by canal, of the waters of the Chesapeake with the Ohio river, by line of the James river, Greenbrier, New river and Great Kanawha.

2. The stockholders of all corporations, and joint stock companies, except banks and banking institutions, created by laws of this State, shall be liable for the indebtedness of such corporations to the amount of their stock subscribed and unpaid, and no more.

3. All existing charters or grants of special or exclusive privileges, under which organization shall not have taken place, or which shall not have been in operation within two years from the time this Constitution takes effect, shall thereafter have no validity or effect whatever : *Provided*, That nothing herein shall prevent the execution of any *bona fide* contract heretofore lawfully made in relation to any existing charter or grant in this State.

4. The Legislature shall provide by law, that in all elections for director or managers of incorporated companies, every stockholder shall have the right to vote, in person or by proxy, for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares, and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock, shall equal, or to distribute them on the same principle among as many candidates as he shall think fit ; and such directors or managers shall not be elected in any other manner.

5. No law shall be passed, by the Legislature, granting the right to construct and operate a street railroad within any city, town, or incorporated village, without requiring the consent of the local authorities having the control of the street or highway, proposed to be occupied by such street railroad.

## BANKS.

6. The Legislature may provide, by a general banking law, for the creation and organization of banks of issue or circulation, but the stockholders of any bank hereafter authorized by the laws of this State, whether of issue, deposit, or discount, shall be person-

ally liable to the creditors thereof, over and above the amount of stock held by them respectively, to an amount equal to their respective shares so held, for all its liabilities accruing while they are such stockholders.

## RAILROADS.

7. Every railroad corporation, organized and doing business in this State, shall annually, by their proper officers, make a report under oath, to the Auditor of public accounts of this State or some officer to be designated by law, setting forth the condition of their affairs, the operations of the year, and such other matters relating to their respective railroads as may be prescribed by law. The Legislature shall pass laws, enforcing by suitable penalties, the provisions of this section.

8. The rolling stock, and all other movable property, belonging to any railroad company or corporation in this State, shall be considered personal property, and shall be liable to execution and sale, in the same manner as the personal property of individuals; and the Legislature shall pass no law, exempting any such property from execution and sale.

9. Railroads heretofore constructed, or that may hereafter be constructed in this State, are hereby declared public highways, and shall be free to all persons for the transportation of their persons and property thereon, under such regulations as shall be prescribed by law; and the Legislature shall, from time to time, pass laws, applicable to all railroad corporations in the State, establishing reasonable maximum rates of charges for the transportation of passengers and freights, and providing for the correction of abuses, the prevention of unjust discriminations between through and local or way freight and passenger tariffs, and for the protection of the just rights of the public, and shall enforce such laws by adequate penalties.

10. The Legislature shall, in the law regulating railway companies, require railroads running through, or within a half mile of a town or village, containing three hundred or more inhabitants, to establish stations for the accommodation of trade and travel of said town or village.

11. No railroad corporation shall consolidate its stock, property or franchises, with any other railroad, owning a parallel or com-

peting line, or obtain the possession or control of such parallel or competing line by lease or other contract, without permission of the Legislaturo.

12. The exercise of the power and the right of eminent domain, shall never be so construed, or abridged, as to prevent the taking, by the Legislature, of the property and franchises of incorporated companies, already organized, and subjecting them to the public use, the same as of individuals.

---

## ARTICLE XII.

### EDUCATION.

1. The Legislature shall provide by general law, for a thorough and efficient system of Free Schools.

2. The State Superintendent of Free Schools shall have a general supervision of Free Schools, and perform such other duties in relation thereto as may be prescribed by law. If in the performance of any such duty imposed upon him by the Legislature, he shall incur any expenses, he shall be reimbursed therefor: *Provided*, The amount does not exceed five hundred dollars in any one year.

3. The Legislature may provide for County Superintendents, and such other offices as may be necessary to carry out the objects of this Article, and define their duties, powers and compensation.

4. The existing permanent and invested school fund, and all money accruing to this State from forfeited, delinquent, waste and unappropriated lands; and from lands heretofore sold for taxes and purchased by the State of Virginia, if hereafter redeemed, or sold to others than this State; all grants, devises or bequests that may be made to this State for the purposes of education, or where the purposes of such grants, devises or bequests are not specified; this State's just share of the literary fund of Virginia, whether paid over or otherwise liquidated; and any sums of money, stocks or property, which this State shall have the right to claim from the State of Virginia for educational purposes; the proceeds of the estates of persons who may die without leaving a will or heir, and of all escheated lands; the proceeds of any taxes

that may be levied on the revenues of any corporation; all moneys that may be paid as an equivalent for exemption from military duty; and such sums as may, from time to time, be appropriated by the Legislature for the purpose. shall be set apart as a separate fund, to be called the "School Fund," and invested under such regulations as may be prescribed by law, in the interest bearing securities of the United States, or of this State, or if such interest bearing securities cannot be obtained, then said "School Fund" shall be invested in such other solvent interest bearing securities as shall be approved by the Governor, Superintendent of Free Schools, Auditor and Treasurer, who are hereby constituted the "Board of the School Fund," to manage the same, under such regulations as may be prescribed by law; and the interest thereof shall be annually applied to the support of Free Schools throughout the State, and to no other purpose whatever. But any portion of said interest remaining unexpended at the close of a fiscal year, shall be added to, and remain a part of, the capital of the "School Fund." *Provided*, That all taxes which shall be received by the State upon delinquent lands, except the taxes due to the State thereon, shall be refunded to the county, or district by or for which the same were levied.

5. The Legislature shall provide for the support of Free Schools, by appropriating thereto the interest of the invested "School Fund," the net proceeds of all forfeitures and fines accruing to this State, under the laws thereof; the State capitation tax; and by general taxation on persons and property or otherwise. It shall also provide for raising, in each county or district, by the authority of the people thereof, such a proportion of the amount required for the support of Free Schools therein as shall be prescribed by general laws.

6. The school districts into which any county is now divided, shall continue until changed in pursuance of law.

7. All levies that may be laid by any county or district for the purpose of Free Schools, shall be reported to the clerk of the County Court, and shall, under such regulations as may be prescribed by law, be collected by the sheriff, or other collector, who shall make annual settlement with the County Court; which settlements shall be made a matter of record by the Clerk thereof, in book to be kept for that purpose.

8. White and colored persons shall not be taught in the same school.

9. No person connected with the freeschool system of the State, or with any educational institution of any name, or grade, under State control, shall be interested in the sale, proceeds or profits of any book or other thing used, or to be used therein, under such penalties as may be prescribed by law: *Provided*, That nothing herein shall be construed to apply to any work written, or thing invented, by such person.

10. No independent free school district, or organization, shall hereafter be created, except with the consent of the school district or districts out of which the same is to be created. expressed by a majority of the voters voting on the question.

11. No appropriation shall hereafter be made to any State Normal School, or branch thereof, except to those already established, and in operation, or now chartered.

12. The Legislature shall foster and encourage moral, intellectual, scientific and agricultural improvement; it shall, whenever it may be practicable, make suitable provision for the blind, mute and insane, and for the organization of such institutions of learning as the best interests of general education in the State may demand.

---

## ARTICLE XIII.

### LAND TITLES.

1. All private rights and interests in lands in this State derived from or under the laws of the State of Virginia, and from or under the Constitution and laws of this State prior to the time this Constitution goes into operation, shall remain valid and secure, and shall be determined by the laws in force in Virginia, prior to the formation of this State, and by the Constitution and laws in force in this State, prior to the time this Constitution goes into effect.

2. No entry by warrant on land in this State shall hereafter be made.



3. All title to lands in this State, heretofore forfeited, or treated as forfeited, waste and unappropriated, or escheated to the State of Virginia, or this State, or purchased by either of said States at sales made for the non-payment of taxes and become irredeemable, or hereafter forfeited or treated as forfeited or escheated to this State, or purchased by it and become irredeemable, not redeemed, released or otherwise disposed of, vested and remaining in this State, shall be, and is hereby transferred to and vested in any person (other than those for whose default the same may have been forfeited or returned delinquent, their heirs or devisees), for so much thereof as such person has, or shall have had actual continuous possession of, under color or claim of title for ten years, and who, or those under whom he claims, shall have paid the State taxes thereon, for any five years during such possession; or if there be no such person, then to any person (other than those for whose default the same may have been forfeited or returned delinquent, their heirs or devisees), for so much of said land as such person shall have title or claim to, regularly derived, mediately or immediately from, or under a grant from the Commonwealth of Virginia, or this State, not forfeited, which but for the title forfeited would be valid, and who, or those under whom he claims, has, or shall have paid all State taxes charged or chargeable thereon for five successive years, after the year 1865, or from the date of the grant, if it shall have issued since that year; or if there be no such person, as aforesaid, then to any person, (other than those for whose default the same may have been forfeited or returned delinquent, their heirs or devisees), for so much of said land as such person shall have had claim to and actual continuous possession of, under color of title for any five successive years after the year 1865, and have paid all State taxes charged or chargeable thereon for said period.

4. All lands in this State, waste and unappropriated, or heretofore or hereafter for any cause forfeited, or treated as forfeited, or escheated to the State of Virginia, or this State, or purchased by either and become irredeemable, not redeemed, released, transferred or otherwise disposed of, the title whereto shall remain in this State till such sale as is hereinafter mentioned be made, shall by proceedings in the Circuit Court of the county in which the lands, or a part thereof, are situated, be sold to the highest bidder.

5. The former owner of any such land, shall be entitled to re-

ceive the excess of the sum for which the land may be sold over the taxes charged and chargeable thereon, or which, if the land had not been forfeited, would have been charged or chargeable thereon, since the formation of this State, with interest at the rate of twelve *per centum* per annum, and the costs of the proceedings, if his claim be filed in the Circuit Court that decrees the sale, within two years thereafter.

6. It shall be the duty of every owner of land to have it entered on the land books of the county in which it, or a part of it is situated, and to cause himself to be charged with the taxes thereon, and pay the same. When for any five successive years after the year 1869, the owner of any tract of land containing one thousand acres or more, shall not have been charged on such books with State tax on said land, then by operation hereof, the land shall be forfeited and the title thereto vest in the State. But if, for any one or more of such five years, the owner shall have been charged with State tax on any part of the land, such part thereof shall not be forfeited for such cause. And any owner of land so forfeited, or of any interest therein at the time of the forfeiture thereof, who shall then be an infant, married woman, or insane person, may, until the expiration of three years after the removal of such disability, have the land, or such interest charged on such books, with all State and other taxes that shall be, and but for the forfeiture would be chargeable on the land, or interest therein for the year 1863, and every year thereafter with interest at the rate of ten *per centum* per annum; and pay all taxes and interest thereon for all such years, and thereby redeem the land, or interest therein: *Provided*, Such right to redeem, shall in no case extend beyond twenty years from the time such land was forfeited.

## ARTICLE XIV.

### AMENDMENTS.

1. No Convention shall be called, having the authority to alter the Constitution of the State, unless it be in pursuance of a law, passed by the affirmative vote of a majority of the members elected to each House of the Legislature and providing that polls shall be

opened throughout the State, on the same day therein specified, which shall not be less than three months after the passage of such law, for the purpose of taking the sense of the voters on the question of calling a Convention. And such Convention shall not be held unless a majority of the votes cast at such polls be in favor of calling the same; nor shall the members be elected to such Convention, until, at least, one month after the result of the vote shall be duly ascertained, declared and published. And all acts and ordinances of the said Convention shall be submitted to the voters of the State, for ratification or rejection, and shall have no validity whatever until they are ratified.

2. Any amendment to the Constitution of the State may be proposed in either House of the Legislature; and if the same, being read on three several days in each House, be agreed to on its third reading, by two-thirds of the members elected thereto, the proposed amendment, with the yeas and nays thereon, shall be entered on the journals, and it shall be the duty of the Legislature to provide by law, for submitting the same, to the voters of the State, for ratification or rejection at the next general election thereafter, and cause the same to be published, at least three months before such election, in some newspaper in every county in which a newspaper is printed. And if a majority of the qualified voters, voting on the question at the polls held pursuant to such law, ratify the proposed amendment, it shall be in force from the time of such ratification, as part of the Constitution of the State. If two or more amendments be submitted at the same time, the vote on the ratification or rejection shall be taken on each separately.

# CORPORATIONS.

---

## GREAT KANAWHA COLLIERY COMPANY, LIMITED.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the "Great Kanawha Colliery Company, Limited," a corporation created, formed and organized under the laws of Great Britain, has this day filed in my said office a duly certified copy of its charter, together with a copy of the laws of Great Britain, under which said corporation was formed.

Given under my hand and the great seal of the said [G. S.] state, at the city of Wheeling, this ninth day of March, 1885.

HENRY S. WALKER,  
*Secretary of State.*

---

## SEWELL MOUNTAIN CO-OPERATIVE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that William Turner, President of the Sewell Mountain Co-operative Company, a corporation created, formed and organized under the laws of the said state, has certified to me in the manner prescribed by said laws, that at a general meeting of the stockholders of said company, the following resolution was adopted:

*Resolved*, That the limit be raised from one hundred dollars or four shares, to two hundred dollars or eight shares, at the par value of twenty-five dollars per share.

Wherefore, I do declare said change in the limit of the number of shares to be held by any stockholder in said company as directed in said resolution, to be authorized by law.

Given under my hand and the great seal of the said [G. S.] state, at the city of Wheeling, this thirteenth day of March, 1885.

HENRY S. WALKER,  
*Secretary of State.*

## ALHAMBRA PALACE RINK COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Alhambra Palace Rink Company," for the purpose of buying, selling and leasing grounds, on which to erect roller rinks and other rinks, to manufacture, buy and sell skates, rink fixtures and furniture, used in connection with same. Said corporation may use said rink or rinks, entertainments, public gatherings, or any lawful purpose said corporation may deem proper. Which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio, and state of West Virginia, and is to expire on the 9th of March, A. D. 1905. And for the purpose of forming the said corporation, we have subscribed the sum of nineteen hundred and fifty dollars to the capital thereof, and have paid in on said subscription the sum of one hundred and ninety five dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to seventy five thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By John E. Wright, Wheeling, W. Va., 5 shares;  
 Godfrey Schul, Wheeling, W. Va., 5 shares;  
 Lawrence Ray, Wheeling, W. Va., 2½ shares;  
 William J. Devine, Wheeling, W. Va., 2 shares;  
 W. H. Wheat, of Wheeling, W. Va., 5 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 12th day of March, 1885.

JOHN E. WRIGHT,  
 GODFREY SCHUL,  
 LAWRENCE RAY,  
 WILLIAM J. DEVINE,  
 W. H. WHEAT.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the ninth day of March, nineteen hundred and five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of said state,  
 [G. S.] at the city of Wheeling, this 16th day March, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

## EXCHANGE ELECTRIC AND TELEPHONE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Exchange Electric and Telephone Company," for the purpose of constructing and maintaining magnetic telegraph and telephone lines, and lines for the use of electric light or other electric uses, both under ground and overhead, and carrying on any business properly pertaining to the same, or for manufacturing, using, selling or leasing any electrical or telephone apparatus, and hiring to others the privilege of using the same. Which corporation shall keep its principal office or place of business at Martinsburg, in Berkeley county, in the state of West Virginia, and is to expire on the first day of January, nineteen hundred and thirty five. And for the purpose of forming the said corporation, we have subscribed the sum of six hundred dollars to the Capital hereof, and have paid in on said subscriptions the sum of sixty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of twenty dollars each, which are held by the undersigned respectively, as follows, that is to say, by

N. D. Baker, five shares.

J. S. Boak, five shares.

John Fitz, five shares.

J. Nelson Wisner, five shares.

John B. Wilson, five shares.

W. L. Jones, five shares.

All of Martinsburg, Berkeley county, West Virginia. And the capital to be hereafter so divided into shares of the like amount. Given under our hands this 21st day of March, 1885.

N. D. BAKER,	[Seal.]
JOHN FITZ,	[Seal.]
J. NELSON WISNER,	[Seal.]
J. S. BOAK,	[Seal.]
JOHN B. WILSON,	[Seal.]
W. L. JONES,	[Seal.]

Wherefore, the corporators named in said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 23d day of March, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

## THE JED SILVER MINING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Jed Silver Mining Company, for the purpose of owning and operating a mine for gold, silver, copper and other precious metals on the Jed Little Naume and Little Rosa Mining Properties in Red Mountain No. 1, Red Mountain Mining District, O'ray county, Colorado. Which corporation shall keep its principal office or place of business at Gallipolis, in the county of Gallia, and State of Ohio, and is to expire on the first day of January, 1910, and for the purpose of forming the said corporation we have subscribed the sum of one million dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred thousand dollars. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By G. M. Effinger, O'ray, Colorado, one thousand.

By Thos. H. Harvey, Huntington, W. Va., one thousand.

By Henry C. Harvey, Huntington, W. Va., one thousand.

By Louis Baer, Gallipolis, Ohio, seven hundred and fifty.

By W. H. Harvey, Gallipolis, Ohio, six thousand two hundred and fifty.

And we hereby constitute and appoint Thomas H. Harvey, of Huntington, West Virginia, as the agent and attorney in fact for this company, upon whom service of process may be had against this company. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 20th day of January, 1885.

G. M. EFFINGER.  
THOS. H. HARVEY.  
H. C. HARVEY.  
LOUIS BAER.  
W. H. HARVEY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and ten, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said  
[G. S.] State at the city of Charleston, this twenty-fourth day  
of March, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary State.*

## SOUTH GASTON GAS COAL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The South Gaston Gas Coal Company," for the purpose of acquiring and holding coal and other mineral lands or properties, of mining, manufacturing, transporting and marketing coal or other minerals or the products thereof, and of constructing, maintaining, using and operating all such works, ways, trams, bridges or other structures as are or may be necessary or appropriate and convenient to a general mining business, including the buying, selling and exchanging of general merchandise, and including also the construction and maintaining of necessary or convenient railways, and a bridge across the west fork of the Mongehela river upon the lands of said company or lands acquired by it near the Gaston mines in Marion county, for the carrying and transportation of the company's products, which corporation shall keep its principal office at or near Fairmont, in Marion county, and shall expire on the first day of March, in the year one thousand nine hundred and thirty-five, and for the purpose of forming the said corporation we have subscribed the sum of one thousand dollars to the capital thereof, and desire the privilege of increasing the said capital to one million dollars in all by the sale of additional shares from time to time. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say :

James O. Watson, Fairmont, W. Va., one share ;  
 James Morrow, Jr., Fairmont, W. Va., one share ;  
 Henry G. Davis, Piedmont, W. Va., one share ;  
 Wm. A. Hanway, Baltimore, Md., one share ;  
 E. W. S. Moore, Baltimore, Md., one share ;  
 Thomas F. Watson, White Day, W. Va., one share ;  
 W. M. Clements, W. Va., one share ;  
 William H. Watson, Fairmont, W. Va., one share ;  
 Johnson N. Camden, Parkersburg, W. Va., one share ;  
 J. Ed. Watson, Fairmont, W. Va., one share.

And one hundred dollars or ten per cent. has been paid in on said subscriptions.

Given under our hands and seals this 4th day of March, 1885.

JAMES O. WATSON,	[Seal.]
JAMES MORROW, JR.,	[Seal.]
H. G. DAVIS,	[Seal.]
W. A. HANWAY,	[Seal.]
E. W. S. MOORE,	[Seal.]
THOMAS F. WATSON,	[Seal.]
W. M. CLEMENTS,	[Seal.]
W. H. WATSON,	[Seal.]
J. N. CAMDEN,	[Seal.]
J. E. D. WATSON,	[Seal.]



Wherefore, the corporators named in the said agreement, and who have signed the same and their successors and assigns, are hereby declared to be from this date until the first day of March, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this twenty fifth day of March, eighteen hundred and eighty five.

HENRY S. WALKER,  
*Secretary of State.*

### RIVERSIDE PARK.

I, Randolph Stalnaker, Jr., secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Riverside Park, for the purpose of promoting and encouraging agricultural, mechanical, and manufacturing interests, the raising, improving and developing of Horses, and other live stock, and of acquiring and leasing of real estate, for fair grounds, buildings, &c., &c. Which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha and state of West Virginia, and is to expire on the 1st day of January, 1895. And for the purpose of forming the said corporation, we have subscribed the sum of seven hundred dollars, to the capital thereof, and have paid in on said subscription the sum of four hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to ten thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each which are held by the undersigned respectively as follows, that is to say,

By N. S. Burlew, Charleston, W. Va., 2 shares.

By J. M. Blakemore, Charleston, W. Va., 2 shares.

By R. R. Skees, Charleston, W. Va., 2 shares.

By E. S. Irwin, Charleston, W. Va., 2 shares.

By E. L. Boggs, Charleston, W. Va., 2 shares.

By J. E. Dana, Malden, W. Va., 2 shares.

Ry H. D. Ruffner, Charleston, W. Va., 2 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this 29th day of January, 1885.

N. S. BURLEW,  
J. M. BLAKEMORE,  
R. R. SKEES,  
E. L. BOGGS,  
J. E. DANA,  
H. E. RUFFNER.

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Wheeling, this twenty seventh day of February, eighteen hundred and eight five.

RANDOLPH STALNAKER  
*Secretary of State.*

### MOUNT CARBON COMPANY, LIMITED.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Mount Carbon Company, Limited, a corporation created, formed and organized under the "companies' acts, 1862 to 1883," of the Imperial Parliament of the United Kingdom of Great Britain and Ireland, has this day filed in the office of the secretary of state of the state of West Virginia, a duly certified copy of its articles of association, together with Queens Printers' copies of said acts of Parliament, (receivable in evidence in all courts of justice in said kingdom), and having so complied with the laws of this state in relation to foreign corporations, is entitled to the same rights, powers and privileges, and subject to the same regulations, restrictions and liabilities, as are conferred and imposed upon like corporations chartered under the laws of this State.

Given under my hand and the Great Seal of the said [G. S.] State, at the city of Wheeling, this first day of April, 1885.

HENRY S. WALKER,  
*Secretary of State.*

### THE RAVENSWOOD DISTRICT EXPOSITION FAIR ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Ravenswood District Exposition Fair Association," composed of Jackson and Roane counties, West Virginia, and Meigs county, Ohio; for the purpose of promoting and encouraging agricultural and manufacturing interests and live stock and acquiring real estate for fair grounds, buildings by purchase or otherwise, and holding the said fair at or near Ravenswood, Jackson county, West

Virginia. Which corporation shall keep its principal office or place of business at the town of Ravenswood, in Jackson county, West Virginia, and is to expire on the first day of January, 1900. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred dollars to the capital thereof, and have paid in on said subscription the sum of ten dollars, and desire the privilege of increasing said capital by sales of additional shares from time to time to twenty-five thousand dollars in all. The capital so subscribed shall be divided into shares of ten dollars each, and are held by the undersigned respectively, as follows, that is to say:

B. F. West, Ravenswood, W. Va., 1-\$10.00;  
 J. C. Archer, V. S., Ravenswood, W. Va., 1-\$10.00;  
 W. A. Holland, Ravenswood, W. Va., 1-\$10.00;  
 S. W. Edelen, Ravenswood, W. Va., 1-\$10.00;  
 W. F. Flinn, Ravenswood, W. Va., 1-\$10.00;  
 J. M. Adams, Ravenswood, W. Va., 1-\$10.00;  
 B. H. Hoyt, Ravenswood, W. Va., 1-\$10.00;  
 J. S. Boyce, Ravenswood, W. Va., 1-\$10.00;  
 J. H. Wetzel, Ravenswood, W. Va., 1-\$10.00.

Dated this 24th day of March, 1885.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said [G. S.] State, at the city of Wheeling, this first day of April, 1885.

HENRY S. WALKER,  
*Secretary of State.*

#### NATIONAL TRANSIT COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the National Transit Company, a corporation created, formed and organized under the laws of the Commonwealth of Pennsylvania, has this day filed in the office of the secretary of state of the state of West Virginia, a duly attested copy of its certificate of organization, together with a duly attested copy of the laws of the said Commonwealth of Pennsylvania, under which it was created; and having so complied with the laws of this State in relation to foreign corporations, is entitled to the same rights, powers and privileges, and subject to the same regulations, restrictions and liabilities as are conferred and imposed upon like corporations chartered under the laws of this state.

Given under my hand and the Great Seal of the said [G. S.] State, at the city of Wheeling, this sixth day of April, 1885.

HENRY S. WALKER,  
*Secretary of State.*

THE GREAT KANAWHA PETROLEUM COAL AND LUMBER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that J. W. Roseberry, President of The Great Kanawha Petroleum Coal and Lumber Company, a corporation created, formed and organized under the laws of the said state, the charter of which said corporation will expire by limitation on the first day of May, 1885, has this day certified to me under his signature and the common seal of said corporation, that at a special meeting of the stockholders thereof, held at the principal office of said corporation, in room No. 1, Morris building, Center street, in the borough of Pottsville, Schuylkill county, state of Pennsylvania, at the hour of three o'clock in the afternoon, on the thirty first day of March, 1885, pursuant to notice of the time, place and object of said meeting given to said stockholders, and by advertisement thereof published in the Kanawha Gazette, a newspaper published in Charleston, West Virginia, wherein a majority of the stock of said company was represented, the following resolution was unanimously adopted :

*Resolved*, That the Great Kanawha Petroleum Coal and Lumber Company, chartered under the laws of the State of West Virginia for a period of twenty years, be continued for a further period of forty years; and that the president of said corporation is hereby authorized and requested to certify this resolution and its adoption to the secretary of state of state of West Virginia."

Wherefore, I do declare said extension to be authorized by law, and that the charter of the Great Kanawha Petroleum Coal and Lumber Company shall continue and be in force until the first day of May, nineteen hundred and twenty five.

[G. S.] Given under my hand and the great seal of the state at the city of Wheeling, this tenth day of April, 1885.

HENRY S. WALKER,  
*Secretary of State.*

MANUFACTURERS GAS COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "Manufacturers Gas Company," for the purpose of (within the State of West Virginia, Ohio and Pennsylvania) mining, boring, digging for or otherwise obtaining from the earth, petroleum, rock or carbon oils, and natural gas, and manufacturing, buying, selling and transporting the same in the crude, and in the refined states; for the purpose of constructing and maintaining lines of tubing and piping, for the transportation of such oils and gas, or either of

them, for the public generally, as well as for the use of said corporation; for the purpose of transporting such oil or gas, or either of them, by means of such pipes or otherwise, and selling and supplying the same to others; and generally for the purpose of doing such acts and carrying on such business as pertains to such works and improvements. Which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio and state of West Virginia, and is to expire on the thirteenth day of April, A. D. 1935. And for the purpose of forming said corporation, we have subscribed the sum of five hundred (500) dollars, to the capital thereof, and have paid in on said subscriptions the sum of fifty (50) dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time to seven hundred and fifty thousand (750,000) dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

By Charles W. Brockunier, Bridgeport, Ohio, one share.

By William Leighton, Jr., Wheeling, W. Va., one share.

By Wilbur C. Brockunier, Belmont county, Ohio, one share.

By Joseph D. DuBois, Wheeling, W. Va., one share.

By A. Wilson Kelly, Wheeling, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this fourteenth day of April, 1885.

CHARLES W. BROCKUNIER.

WILLIAM LEIGHTON, JR.

WILBUR C. BROCKUNIER,

JOSEPH D. DUBOIS.

A. WILSON KELLY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the thirteenth day of April, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said [G.S.] State, at the city of Wheeling, this fourteenth day of April, 1885.

HENRY S. WALKER,  
*Secretary of State.*

### L. A. CARR MILLING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of

the 'L. A. Carr Milling Company,' for the purpose of buying and selling grain, hay, feed, coal and produce of all kinds, and of manufacturing and selling flour, meal and feed and of doing and carrying on any and every operation and business connected with a general milling business including the business of a general store in connection with said business; which corporation shall keep its principal office or place of business at Charleston, in the County of Kanawha and state of West Virginia, and is to expire on the 1st day of April, 1935. And for the purpose of forming the said corporation, we have subscribed the sum of twelve thousand dollars, and have paid in on said subscription the sum of twelve thousand dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time to fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By L. A. Carr, Buffalo, Putnam county, West Virginia, forty shares;

By Rose E. Carr, Buffalo, Putnam county, West Virginia, thirty-nine shares;

By Jackson Carr, Buffalo, Putnam county, West Virginia, thirty-nine shares;

By John R. Scott, Buffalo, Putnam county, West Virginia, one share;

By John A. Carr, Charleston, Kanawha county, West Virginia, one share;

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 8th day of April, 1885.

L. A. CARR,  
JACKSON CARR,  
ROSE E. CARR,  
J. R. SCOTT,  
JOHN A. CARR.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of April, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said [G. S.] State, at the city of Wheeling, this fourteenth day of April, 1885.

HENRY S. WALKER,  
*Secretary of State.*

## THE BERKELEY SPRINGS AND POTOMAC RAILROAD COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation, duly

signed and acknowledged, have this day been recorded in my office, which articles of incorporation are in the words and figures following:

We whose names are hereto subscribed, desiring to become a corporation for the purpose of constructing and operating a railroad in the state of West Virginia, do hereby adopt these articles of incorporation for that purpose.

First—The name of the corporation shall be the Berkeley Spring and Potomac Railroad Company.

Second—The railroad which this corporation proposes to build will commence at or near the town of Bath, in the county of Morgan, and run thence by the most practicable route to a point at or near Alpine Depot and the Potomac River in said county of Morgan.

Third—The principal business office of this corporation will be in the town of Bath and state aforesaid.

Fourth—This corporation shall continue perpetually.

Fifth—The capital stock of this company shall be (\$150,000) four hundred and fifty thousand dollars, divided into shares of twenty five dollars each.

Sixth—The names and places of residence of the persons forming this corporation and the number of shares of stock subscribed by each are as follows:

D. P. Wright, Bath, W. Va., four shares;  
 T. H. B. Dawson, Bath, W. Va., four shares;  
 H. W. Disher, Bath, W. Va., four shares;  
 Peter Haring, Bath, W. Va., four shares;  
 Jno. F. Trego, Bath, W. Va., four shares;  
 W. H. Webster, Bath, W. Va., four shares;  
 J. W. Trimble, Bath, W. Va., four shares;  
 B. Frank Horn, Bath, W. Va., four shares;  
 S. J. Havermale, Morgan county, W. Va., four shares;  
 H. W. Michael, Morgan county, W. Va., four shares;  
 H. G. Omps, Morgan county, W. Va., four shares;  
 George W. Havermale, Berkeley Springs, W. Va., four shares;  
 R. Hunter, Berkeley Springs, W. Va., four shares;  
 J. Rufus Smith, Berkeley Springs, W. Va., four shares.

Wherefore, the incorporators named in said articles of incorporation, and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name, for the purpose and for the length of time set forth in said articles of incorporation.

Given under my hand and the Great Seal of the said [G. S.] State at the seat of government thereof, this sixteenth day of April, 1835.

HENRY S. WALKER,  
*Secretary of State.*

## WOMAN'S CHRISTIAN TEMPERANCE UNION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Woman's Christian Temperance Union of West Virginia," for the purpose of assisting in the elevation of humanity, by uniting in a society the Christian women of all churches, for the purpose of educating the young : forming a better public sentiment, reforming the drinking class, transforming by the power of divine grace those who are enslaved by alcohol, and removing the dram shops from our streets by law. Which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, and state of West Virginia, and is to expire on the seventeenth day of April, A. D. 1905, and for the purpose of forming the said corporation we have subscribed the sum of twenty five dollars (\$25.00) to the capital thereof, and have paid in on said subscriptions the sum of five dollars (\$5.00), and desire the privilege of increasing the said capital by the sale of additional shares from time to time to five thousand dollars (\$5,000) in all. The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned, respectively, as follows, that is to say :

By A. Taylor, Wheeling Female College, one share ;  
 By Virginia M. Warren, Wheeling, W. Va., one share ;  
 By Sarah Johnson, Wheeling, W. Va., one share ;  
 By Emma A. Fowler, Wheeling, W. Va., one share ;  
 By Mary M. Wagner, Wheeling, W. Va., one share.  
 And the capital to be hereafter sold is to be divided into shares of a like amount.

Given under our hands this seventh day of April, A. D. 1855.

A. TAYLOR,  
 EMMA A. FOWLER,  
 VIRGINIA M. WARREN,  
 SARAH JOHNSON,  
 MARY M. WAGNER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the 17th day of April, nineteen hundred and five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Wheeling, this twentieth day of April, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*



## LAUGHLIN AND JUNCTION STEEL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day duly delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the Laughlin Junction Steel Company, for the purpose of manufacturing, within the States of West Virginia, and of Ohio, steel of all kinds, and of converting the same into its various useful and merchantable products, for the purpose of buying, selling and dealing in such steel and its various products there and elsewhere ; and for the purpose of doing and conducting such other business as may be incidental or advantageous to the manufacture of steel, in any or all its different branches, and also for the further purpose of manufacturing iron and dealing in it in its various products. Which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio, and state of West Virginia, and is to expire on the 28th day of April, A. D. 1935. And for the purpose of forming the said corporation, we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares, from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say :

By Samuel Laughlin, of Wheeling, W. Va., one share ;

By Henry K. List, of Wheeling, W. Va., one share ;

By James Maxwell, of Wheeling, W. Va., one share ;

By William W. Hollaway, of Bridgeport, Ohio, one share ;

By John J. Jones, of Wheeling, W. Va., one share.

By Alexander Laughlin, of Wheeling, W. Va., one share ;

By Morgan L. Ott, of Wheeling, W. Va., one share ;

By David Gutman, of Wheeling, W. Va., one share ;

By Manuel Gutman, of Wheeling, W. Va., one share ;

By William L. Glessner, of Wheeling, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of a like amount.

Given under our hands this 29th day of April, A. D. 1885.

SAMUEL LAUGHLIN,  
HENRY K. LIST,  
JAMES MAXWELL,  
WILLIAM H. HOLLAWAY,  
JOHN J. JONES,  
ALEXANDER LAUGHLIN,  
MORGAN L. OTT,  
DAVID GUTMAN,  
MANUAL GUTMAN,  
WILLIAM L. GLESSNER.

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-eighth day of April, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Wheeling, this thirtieth day of April, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

## THE HYDRO-CARBON ORE ROASTER COMPANY.

### INCREASE OF STOCK.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that Joseph P. Reed, President of "The Hydro-Carbon Ore Roaster Company," a corporation created, formed and organized under the laws of the said state, has this day certified to me under his signature and the common seal of said company, that at a special meeting of stockholders thereof, held pursuant to law, at the office of said company, in the city of Philadelphia, state of Pennsylvania, on the ninth day of March, 1885, wherein all the stock of said company was represented by the holders thereof, the following resolution was unanimously adopted:

*Resolved,* That the capital stock of this company be and is hereby increased to one hundred and fifty thousand dollars, divided into three thousand shares at a par value of fifty dollars each; and that the proper officers of the company are hereby authorized to prepare and forward to the secretary of state of West Virginia, duly attested copy of this resolution.

Wherefore, I do declare the increase of the capital and number of shares of stock of said company, as proposed in said resolution, to be authorized by law.

Given under my hand and the great seal of the said [G. S.] state, at the city of Wheeling, this thirtieth day of April, 1885.

HENRY S. WALKER,  
*Secretary of State.*

## WHEELING HINGE COMPANY.

### EXTENSION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that C. J. Rawling, President of the Wheeling Hinge Company, a corporation created, formed and organized under the laws of said State, has certified to me under his

signature and the common seal of said company, that at a special meeting of the stock-holders thereof, held at the office of said company in the city of Wheeling, on the 16th day of April, 1885, the following preamble and resolutions were unanimously adopted.

"Notice of the intention to offer the following resolution having been given by advertisement published once a week for four successive weeks in the Wheeling Intelligencer, a newspaper of general circulation, published in this city, and a majority of the stock of the Wheeling Hinge Company being represented by the holders thereof, in person or by proxy, and voting for such resolution, it is:

*Resolved*, That the time for the continuance of this corporation, Wheeling Hinge Company, be extended until the first day of May, nineteen hundred and thirty five.

*Resolved*, That the President of this company, under his signature and the common seal of the company, certify the foregoing resolution to the secretary of state.

Wherefore, I do declare said extension to be authorized by law, and that the charter of The Wheeling Hinge Company shall continue and be in force until the first day of May, nineteen hundred and thirty-five.

Given under my hand and the great seal of the said [G. S.] state, at the city of Wheeling, this first day of May, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

## VALLEY AGRICULTURAL ASSOCIATION OF BERKELEY COUNTY, W. VA.

### DISSOLUTION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that Decatur Hedges, President of the Valley Agricultural Association of Berkeley county, W. Va., a corporation created, formed and organized under the laws of the state of West Virginia, has this day certified to me under his signature and the common seal of said corporation, that at a meeting of the stockholders of said company, held pursuant to law, at the office of said company in Martinsburg, West Virginia, on the eighteenth day of April, 1885, wherein a majority of the capital stock of said company was represented in person or by proxy, the following resolution was adopted by a majority vote of the stockholders so represented:

"*Resolved*, That the stockholders of the 'Valley Agricultural Association of Berkeley county, West Virginia,' by a majority of the stock voting in the affirmative, do resolve to discontinue the business of the said corporation."

Wherefore, I do declare said corporation dissolved, as authorized and directed in the foregoing resolution.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston this, the sixth day of May, 1885.

HENRY S. WALKER,  
*Secretary of State.*

## WHEELING FEMALE COLLEGE.

### EXTENSION OF CHARTER.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that C. D. Hubbard, President of the Wheeling Female College, a corporation created, formed and organized under the laws of the said State, has this day certified to me under his signature and the common seal of said corporation, that at a meeting of the stockholders thereof, held pursuant to law, at the office of said corporation in the city of Wheeling, on the 16th day of May, 1885, wherein a majority of the stock of said corporation was represented in person or by proxy, the following resolution was adopted:

*Resolved*, That the charter of the Wheeling Female College, which is about to expire, by limitation, be extended for twenty years from date of expiration.

Wherefore, I do hereby declare said extension to be authorized by law, and that the charter of said Wheeling Female College, which expires by limitation on the 18th day of May, 1885, is hereby extended until the 18th day of May, 1905.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this eighteenth day of May, 1885.

HENRY S. WALKER,  
*Secretary of State.*

## THE EMMA GRAHAM PACKET COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Emma Graham Packet Company," for the purpose of owning, building, buying, selling, hiring and navigating steamboats, barges and wharf-boats, carrying passengers and freight, towing flats and other water craft, and all other business properly con-

nected with a general transportation company on the waters of the western rivers. Which corporation, shall keep its principal office or place of business at Belleville, in the county of Wood and state of West Virginia, and is to expire on the 12th day of May, 1935. And for the purpose of forming the said corporation, we have subscribed the sum of ten thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one thousand dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to thirty thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say :

By Thomas M. Rees, Pittsburgh, Pa., 50 shares ;  
 By William M. Rees, Pittsburgh, Pa., 25 shares ;  
 By David A. Rees, of Pittsburgh, Pa., 25 shares ;  
 By William M. Birely, Vanceburg, Ky.; 50 shares ;  
 By E. B. Cooper, Belleville, Wood county, W. Va., 25 shares ;  
 By A. J. Slaven, Parkersburg, W. Va., 25 shares.

And the capital to be hereafter sold is divided into shares of like amount.

Given under our hands this 13th day of May, 1885.

THOMAS M. REES,	[Seal.]
WILLIAM M. REES,	[Seal.]
DAVID A. REES,	[Seal.]
W. M. BIRELY,	[Seal.]
EDMUND B. COOPER,	[Seal.]
ALBERT J. SLAVEN,	[Seal.]

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twelfth day of May, nineteen hundred and thirty-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-first day of May, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

## PARKERSBURG GAS COMPANY.

### EXTENSION OF CHARTER.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that Charles S. Despard, President of the Parkersburg Gas Company, a corporation created, formed and organized under the laws of said state, the charter of which expires by limitation on the thirty-first day of May, 1885, has this day certified to me under his signature and the corporate seal of said company, that at a special meeting of the stockholders thereof

called for the purpose by said President, and held pursuant to published notice, on the thirtieth day of May, 1885, at the office of said company in Parkersburg, West Virginia, wherein 2,898 of the 3,000 shares of stock of said corporation was represented in person or by proxy, the following resolution was offered and unanimously adopted by the stockholders so present and voting at said meeting:

*Resolved*, That the time of the continuance of the Parkersburg Gas Company, and its corporate powers and privileges, be extended beyond that limited in the agreement for its formation, for the period of fifty years, as provided for in section eleven of chapter fifty four of the Code of West Virginia, as amended and re-enacted by chapter ninety-seven, of the Acts of 1832."

Wherefore, I do declare said extension to be authorized by law, and that the charter of said Parkersburg Gas Company, which expires by limitation on the thirty-first day of May, 1885, is hereby extended until the thirty-first day of May, nineteen hundred and thirty five.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this thirtieth day of May, 1885.

HENRY S. WALKER,  
*Secretary of State.*

### COAL RIVER BOOM COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Coal River Boom Company, for the purpose of constructing a boom on Coal river for stopping and securing boats, rafts, logs, masts, spars, lumber and other timber. The said boom is to be located in Kanawha, county, West Virginia, above the lower Falls of Coal river and just above the place where the old Lewis Mill used to stand, and it is to be connected on one side of Coal river by John K. Sattis' land and on the other side of Coal river with John H. Barnett's land.

Which corporation shall keep its principal office or place of business at Moore's Mill, near lock number one, on Coal river, in the county of Kanawha, and is to begin 30th day of May, 1885, and to expire on the 30th day of May, 1905. And for the purpose of forming the said corporation we have subscribed the sum of five hundred dollars (\$500) to the capital stock thereof and have paid in on said subscriptions the sum of fifty dollars (\$50), and desire the privilege of increasing the said capital stock by the sale of additional shares from time to time to the amount of ten thousand

dollars (\$10,000) in all. The capital so subscribed is divided into shares of twenty-five dollars (25) each, which are held by the undersigned, respectively, as follows, that is to say, by

James Barnett, of Kanawha county, W. Va., four shares, \$100.

Francis O. Inghram, of Kanawha county, W. Va., four shares, \$100;

John H. Barnett, of Kanawha county, W. Va., four shares, \$100;

Elliott F. Barnett, of Kanawha county, W. Va., four shares, \$100;

John F. Barnett, of Kanawha county, W. Va., four shares, \$100;

And the capital to be hereafter sold to be divided into shares of the like amount.

Given under our hands this 28th day of May, 1885.

JAMES BARNETT.

FRANCIS O. INGRAM.

JOHN H. BARNETT.

ELLIOTT F. BARNETT.

JOHN F. BARNETT.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the 30th day of May, nineteen hundred and five a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said state [G. S.] at the city of Charleston this 3d day of June, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

### WELLSBURG WINDOW GLASS WORKS.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Wellsburg Window Glass Works," for the purpose of manufacturing window glass and all kinds of glassware, which corporation shall keep its principal office or place of business in Wellsburg, in the county of Brooke, West Virginia, and is to expire on the twenty-eighth day of May, nineteen hundred and thirty-five. And for the purpose of forming said corporation we have subscribed the sum of six thousand dollars to the capital thereof, and have paid in on said subscription the sum of six hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares, from time to time, to sixty thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say:

C. W. Seabright, of Wheeling, forty (40) shares;  
 A. D. Seamon, of Wheeling, forty (40) shares;  
 J. E. Curtis, of Wellsburg, twenty (20) shares;  
 B. C. Hagerman, of Bethany, ten (10) shares;  
 H. C. Ulrich, of Lazeearville, ten (10) shares.

And the capital to be hereafter sold is to be divided into shares of a like amount.

Given under our hands and seals, this twenty-eighth day of May, 1885.

C. W. SEABRIGHT,	[Seal.]
A. D. SEAMON,	[Seal.]
J. E. CURTIS,	[Seal.]
B. C. HAGERMAN,	[Seal.]
H. C. ULRICH,	[Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-eighth day of May, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this sixth day of June, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

### WEST VIRGINIA OIL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "West Virginia Oil Company," for the purpose of leasing, mining, boring, pumping, buying, shipping, selling, and disposing of oil, petroleum and other valuable minerals and substances, and oil territory and leases, constructing and laying pipe for the conveyance of oil, etc., refining and manufacturing the oil products, and doing a general mercantile business and such other business and trade in relation thereto as a partnership might do. This corporation shall keep its principal office or place of business in Petroleum, Ritchie county, West Virginia, and shall expire on the first day of June, in the year nineteen hundred and fifteen (1915). And for the purpose of forming the said corporation we have subscribed the sum of two hundred thousand dollars to the capital thereof, and have paid in on said subscription the sum of twenty thousand dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to four hundred thousand dollars in all. The capital so subscribed is



divided into shares of one hundred dollars (\$100) each, which are held by the undersigned respectively as follows, that is to say, by  
 C. H. Shuttuck, Parkersburg, W. Va., 1996 shares;  
 John Adair, Parkersburg, W. Va., 1 share;  
 J. M. Jackson, Jr., Parkersburg, W. Va., 1 share;  
 W. H. D. Reed, Parkersburg, W. Va., 1 share;  
 L. A. Cole, Parkersburg, W. Va., 1 share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this third day of June, in the year one thousand eight hundred and eighty-five.

C. H. SHATTUCK.

JOHN ADAIR.

J. M. JACKSON, JR.,

W. H. D. REED.

L. A. COLE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of June, nineteen hundred and fifteen, a corporation by the name and for the purposes set forth in said agreement

Given under my hand and the great seal of the said state [G. S.] at the city of Charleston, this sixth day of June, eighteen hundred and eighty-five.

HENRY S. WALKER,

*Secretary of State.*

### PIONEER RAILWAY COMPANY.

I, Henry S. Walker, secretary of state, of the state of West Virginia, do hereby certify that articles of incorporation, duly signed and acknowledged, have this day been recorded in my office, which articles of incorporation are in the words and figures following:

We, whose names are hereto subscribed, desiring to become a corporation for the purpose of constructing and operating a railroad in the state of West Virginia, do hereby adopt these articles of incorporation for that purpose:

First—The name of the corporation shall be the Pioneer Railway Company.

Second—The railroad which this corporation proposes to build will commence at the Kanawha river, in the county of Kanawha, between the town of Malden and the city of Charleston, and run thence by the most practicable route up Campbell's creek to a point at or near the head of said creek, and up each one of the forks of tributaries of said creek to the head of said fork or tributary, all of said points being in the county of Kanawha.

Third—The principal business office of this corporation will be at the city of Charleston, in the county of Kanawha, in the state of West Virginia.

Fourth—This corporation shall continue perpetually.

Fifth—The capital stock of this company shall be fifteen thousand dollars (\$15,000.00), divided into shares of one hundred dollars (\$100.00).

Sixth—The names and places of residence of the persons forming this corporation, and the number of shares of stock subscribed by each, are as follows:

A. Montgomery, Covington, Ky., 37 shares;  
 F. Singleton, Covington, Ky., 37 shares;  
 J. J. Lovell, Campbell's Creek, W. Va., 37 shares;  
 J. B. Lovell, Covington, Ky., 37 shares;  
 George H. Montgomery, Covington, Ky., 1 share;  
 Wm. A. Quarrier, Charleston, W. Va., 1 share.  
 Total shares—150.

Given under our hands this 8th day of June, 1885.

A. MONTGOMERY,  
 THOS. SINGLETON,  
 By JOS. B. LOVELL,  
*His Attorney in fact.*  
 GEO. H. MONTGOMERY,  
 By JOS. B. LOVELL,  
*His Attorney in fact.*  
 JOS. B. LOVELL,  
 J. J. LOVELL,  
 WM. A. QUARRIER.

Wherefore, the corporators named in said articles of incorporation, and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name, for the purpose and for the length of time set forth in said articles of incorporation.

Given under my hand and the great seal of the said [G. S.] state at the seat of government thereof, this eighth day of June, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

### WEST VIRGINIA IMPROVEMENT COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the West Virginia Improvement Company for the purpose of mining, manufacturing, developing and dealing in Coal, Coke, Iron and iron ore and of doing a general mining and manufacturing business, of manufacturing and dealing in lumber, of mining,

boring and producing natural gas, petroleum, oil, and of manufacturing and preparing the same for market and of buying and selling the same and of owning and operating refineries and of transporting the oil in cars, pipes and barges, and of manufacturing barrels, barges and cars, and of purchasing, leasing and selling all material necessary therefor and for doing a general mercantile business.

Which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, and state of West Virginia, and is to expire on the first day of May, one thousand nine hundred and thirty-five. And for the purpose of forming the said corporation, we have subscribed the sum of five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of five hundred dollars; and desire the privilege of increasing the said capital, by the sale of additional shares from time to time to one million dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Marcus Hulings, Oil City, Penn., 24 shares;  
 By David Reynolds, Red Bank, Penn., 23 shares;  
 By B. J. Jordan, Charleston, West Virginia, 1 share;  
 By Geo. W. Patton, Charleston, West Virginia, 1 share;  
 By J. M. Payne, Charleston, West Virginia, 1 share.

And the capital to be hereafter sold is to be divided into shares of a like amount.

Given under our hands this 15th day of June, 1885.

MARCUS HULINGS,  
 DAVID REYNOLDS,  
 B. J. JORDAN,  
 GEO. W. PATTON,  
 J. M. PAYNE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of June, nineteen hundred and five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said [G. S.] State, at the city of Wheeling, this 15th day of June, 1885.

HENRY S. WALKER,  
*Secretary of State.*

### NEW YORK LIFE INSURANCE.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the New York Life Insurance Company, a corporation created under the laws of the State of

New York, has this day filed in my said office a duly certified copy of its certificate of incorporation together with a copy of the statutes of the State of New York under which said corporation was formed.

Given under my hand and the Great Seal of the said [G. S.] State at the city of Charleston this twentieth day of June, 1885.

HENRY S. WALKER,  
*Secretary of State.*

### LIVERPOOL AND LONDON AND GLOBE INSURANCE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Liverpool and London and Globe Insurance Company, a corporation created under the laws of Great Britain, has this day filed in my said office a duly certified copy of its certificate of incorporation, together with a copy of the statutes of the Kingdom of Great Britain under which said corporation was formed.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston this twentieth day of June, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

### THE AMERICAN FIRE-PROOF CONSTRUCTION AND SKY-LIGHT COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The American Fire-proof Construction and Sky-light Company," for the purpose of purchasing the patented inventions of J. Franklin Stuckert, for fire-proof floors, roofs, sky-lights, floor and vault lights and kindred matters of manufacturing and selling the said inventions, of working and manufacturing all raw materials into useful substances that may enter into the construction of said inventions, such as iron-ore, lead, etc., and of letting and selling such rights as they may have. Which corporation shall keep its office or principal place of business at the city of Philadelphia, in the state of Pennsylvania, and is to expire on the first day of June, A. D., 1935.

And for the purpose of forming the said corporation, we have

subscribed the sum of one hundred thousand dollars to the capital thereof, and have paid in on said subscriptions the said sum of one hundred thousand dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one million dollars in all.

The capital so subscribed is divided into shares of twenty-five dollars, which are held by the undersigned respectively, as follows, that is to say:

By J. Franklin Stuckert, 1625 N. 8th street, Philadelphia, Pa., 3,984 shares;

G. P. Einwechter, 2029 Wishart street, Philadelphia, Pa., 4 shares;

Robert Kelley, 524 Walnut street, Philadelphia, Pa., 4 shares;

Hugh Copeland, 25th street and Washington avenue, Philadelphia, Pa., 4 shares;

John B. Colahan, Jr., 4004 Pine street., Philadelphia, Pa., 4 shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this twelfth day of June, Anno Domini, 1885.

J. FRANKLIN STUCKERT,  
ROBERT KELLY,  
HUGH COPELAND,  
GEORGE P. EINWECHTER.  
J. B. COLAHAN, JR.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of June, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-second day of June, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

#### THE VALLEY MUTUAL LIFE ASSOCIATION OF VIRGINIA.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Valley Mutual Life Association of Virginia a corporation created under the laws of the State of Virginia has this day filed in my said office a duly certified copy of its certificate of incorporation, together with a copy of the statutes of Virginia under which said corporation was formed.

Given under my hand and the Great Seal of the said [G. S.] State at the city of Charleston, this 24th day of June, 1885.

HENRY S. WALKER,  
*Secretary of State.*

## WHEELING STEEL WORKS.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Wheeling Steel Works, for the purpose of manufacturing and dealing in iron and steel in all forms, and of manufacturing, mining, producing and dealing in any articles or materials used in the manufacture of iron or steel in any form. Which corporation shall keep its principal office or place of business at the city of Wheeling in the county of Ohio in the state of West Virginia, and is to expire on the twenty second day of June, (A. D. 1935) one thousand nine hundred and thirty-five. And for the purpose of forming the said corporation we have subscribed the sum of nine hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of ninety dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one million dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively as follows, that is to say:

By Alonzo Loring, who resides at Elm Grove Ohio county W. Va., one share.

By George Wise, who resides at Wheeling, W. Va., one share.

By G. B. Caldwell, who resides at Wheeling, W. Va., one share.

By J. D. DuBois, who resides at Leatherwood, Ohio county, W. Va., one share.

By A. W. Kelley, who resides at Wheeling W. Va., one share.

By A. J. Clarke, who resides at Wheeling, W. Va., one share.

By C. R. Hubbard, who resides at Wheeling W. Va., one share.

By John P. Gilchrist, who resides at Leatherwood, Ohio county, W. Va., one share.

By H. H. Hornbrook, who resides at Elm Grove, Ohio county, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 22nd day of June, A. D. 1885.

ALONZO LORING,  
 GEORGE WISE,  
 G. B. CALDWELL,  
 J. D. DU BOIS,  
 A. W. KELLY.  
 A. J. CLARKE,  
 C. R. HUBBARD,  
 JOHN P. GILCHRIST,  
 H. H. HORN BROOKE.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty second day

of June, nineteen hundred and thirty five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Wheeling, this twenty fourth day of June, eighteen hundred and eighty five.

HENRY S. WALKER,  
*Secretary of State.*

### MONTGOMERY LONG-FIBRE COTTON GIN COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Montgomery Long fibre Cotton Gin Company, for the purpose of manufacturing long-fibre Cotton Gins, and owning and controlling patents connected therewith, which corporation shall keep its principal office or place of business at the City of Washington in the District of Columbia, and is to expire on the first day of January A. D., nineteen hundred and thirty-four. And for the purpose of forming said corporation we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one million dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say :

John F. Dozendorf, one share, \$100.00 ;  
Hector McNeill, one share \$100.00 ;  
A. S. Griggs, one share, \$100.00 ;  
Thomas A. Mitchell, one share, \$100.00 ;  
S. T. Nichols, one share, \$100.00 ;

All of the above named incorporators being of Washington City, in the District of Columbia. And the Capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 17th day of June, one thousand eight hundred and eighty-five.

JOHN F. DEZENDORF,  
H. MCNEILL,  
A. S. GRIGGS,  
THOMAS A. MITCHELL,  
S. T. NICHOLS.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of Janu-

ary, nineteen hundred and thirty-four, a corporation by the name and for the purposes set forth in said agreement.

[G.S.] Given under my hand and the great seal of the said state, at the city of Charleston, this 24th day of June, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

### UNION CEMETERY ASSOCIATION OF GRANT DISTRICT.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Union Cemetery Association of Grant District, for the purpose of purchasing or otherwise securing a lot or parcel of land in the vicinity of Brandonville, Preston county, West Virginia, and not more than two and one half miles therefrom, and improving the same by fencing, grading, laying out passages, alleys, walks, etc., and dividing it into lots and selling or otherwise disposing of said lots for burial purposes, which corporation shall keep its principal office or place of business in the said town of Brandonville, and is to expire on the first day of June, 1935; and for the purpose of forming the said corporation we have subscribed the sum of fifty dollars to the capital thereof, and have paid in on said subscription the sum of fifty dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively, as follows, that is to say:

Jeremiah Guthrie, of Brandonville, W. Va., one share;

David K. Harshbarger, of Brandonville, W. Va., one share;

David Frankhouser, of Brandonville, W. Va., one share;

Jonas Frankhouser, of Brandonville, W. Va., one share;

Lindley H. Frankhouser, of Brandonville, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 22nd day of June, 1885.

JEREMIAH GUTHRIE,  
DAVID H. HARSHBARGER,  
DAVID FRANKHOUSER,  
JONAS FRANKHOUSER,  
LINDLEY H. FRANKHOUSER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of June,



nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 26th day of June, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

### THE PHOENIX INSURANCE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that The Phoenix Insurance Company, a corporation created under and by virtue of the laws of the State of Connecticut, has this day filed in my said office a duly certified copy of its charter, together with a copy of the statutes of the State of Connecticut under and by which said corporation was created.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this 26th day of June, 1885.

HENRY S. WALKER,  
*Secretary of State.*

### THE HARVEY PAPER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

We, the undersigned agree to become a corporation by the name of The Harvey Paper Company, for the purpose of engaging in the business of manufacturing straw, printing, manilla and all other descriptions of paper and for buying such real estate and personal property, stock and machinery as may be necessary and useful in carrying on said business, and marketing and selling said products. Which said corporation shall keep its principal office or place of business in Wellsburg, Brooke county, West Virginia, and is to expire on the twentieth day of June, one thousand nine hundred and five.

And for the purpose of forming said corporation we have subscribed the sum of sixteen thousand dollars to the capital thereof and have paid in on said subscriptions the sum of sixteen thousand dollars, and desire the privilege of increasing said capital by the sale of additional shares from time to time to the sum of thirty-two thousand dollars in all. The capital so subscribed is

divided into shares of one hundred dollars, which are held by the undersigned respectively, as follows, to-wit:

Benjamin Harvey, of Wellsburg, Brooke county, West Virginia, (50) fifty shares;

Wm. H. Harvey, of Wellsburg, Brooke county, West Virginia, (50) shares;

G. W. Rine, of Wellsburg, Brooke county, West Virginia, (50) fifty shares;

S. George, of Wellsburg, Brooke county, West Virginia, (5) five shares;

W. S. Abrams, of Wellsburg, Brooke county, West Virginia, (5) five shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 20th day of June, one thousand eight hundred and eighty-five.

BENJAMIN HARVEY,  
WILLIAM H. HARVEY,  
G. W. RINE,  
S. GEORGE,  
W. S. ABRAMS.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the 20th day of June, nineteen hundred and five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said [G. S.] State, at the city of Charleston, this 27th day of June, 1885.

HENRY S. WALKER,  
*Secretary of State.*

### AMERICAN WATER BAR GRATE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

— We the undersigned agree to become a corporation by the name of the "American Water Bar Grate Company," of the State of Pennsylvania, for the purpose of constructing and introducing the Grate Bars and other apparatus for economizing heat and power under the various patents issued by the United States Government to Isaac W. Swallow, of Kingston, Pennsylvania, and generally carrying on the business properly pertaining to constructing and introducing the said Grate Bars and necessary accompanying apparatus. Which corporation shall keep its principal office or place of business at Philadelphia, in the county of

Philadelphia, and State of Pennsylvania. and is to expire on the first day of June, A. D. 1905. And for the purpose of forming the said corporation we have subscribed the sum of five hundred (\$500) dollars to the capital stock and have paid in on said subscription the sum of five (\$500) dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one hundred thousand (\$100,000) dollars in all. The capital so subscribed is divided into shares of ten (\$10) dollars each, which are held by the undersigned respectively as follows, that is to say:

By Isaac W. Swallow, of Kingston, Luzerne county, Penn., twenty shares, \$200.

By John H. Sinsabaugh, of 1,529 Nth. 25th St., Philadelphia, Penn., fifteen shares, \$150.

By Reece W. Flower, Jr., of 3,600 Powelton Ave., Philadelphia, Penn., five shares, \$50.

By Samuel T. Thomas, of 506 Wood St., Philadelphia, Penn., five shares, \$50.

By Byron F. Akerley, of 122 Tenth St., Scranton, Penn., five shares, \$50.

And the capital hereafter sold to be divided into shares of like amount.

Given under our hands and seals this 15th day of June, A. D., 1885.

ISAAC W. SWALLOW, [Seal.]  
 BYRON F. AKERLEY, [Seal.]  
 JOHN H. SINSABAUGH, [Seal.]  
 R. W. FLOWER, JR., [Seal.]  
 SAMUEL T. THOMAS. [Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of June, nineteen hundred and five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Wheeling, this 29th day of June, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

## WASHINGTON FIRE AND MARINE INSURANCE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the "Washington Fire and Marine Insurance Company, a corporation created under the laws of the state of Massachusetts, has this day filed in my said office a duly certified copy of its certificate of incorporation, together with a

copy of the statutes of the state of Massachusetts under which said corporation was formed.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-ninth day of June, 1885.

HENRY S. WALKER,  
*Secretary of State.*

### CLARKSBURG DISTRICT CAMP MEETING ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Clarksburg District Camp Meeting Association, for the purpose of benevolence and charity, and for the further purpose of promoting religious exercises and conferring benefits upon members and others, and in aid of these objects desire authority to purchase and hold in fee simple not more than twenty acres of land, and to lease contiguous thereto not more than eighty acres; which corporation shall keep its principal office or place of business at Shinston, in the county of Harrison and state of West Virginia, and is to expire on the first day of January, 1926. And for the purpose of forming the said corporation we have subscribed the sum of seventy dollars to the capital thereof, and have paid in on said subscriptions the sum of seven dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to two thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Aaron Vincent, Shinston, W. Va., one share;

By B. T. Harmer, Shinston, W. Va., one share;

By Allison Robinson, Shinston, W. Va., one share;

By L. M. Harmer, Shinston, W. Va., one share;

By Ed. Denham, Lumberport, W. Va., one share;

By Selden M. Ogden, Lumberport, W. Va., one share;

By Van B. Ogden, Prospect Valley, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 27th day of June, 1885.

AARON VINCENT,  
B. T. HARMER,  
ALLISON ROBINSON,  
L. M. HARMER,  
S. M. OGDEN,  
EDMUND DENHAM,  
V. B. OGDEN.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and twenty six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this second day of July, eighteen hundred and eighty five.

HENRY S. WALKER,  
*Secretary of State.*

### THE WEST VIRGINIA IMPROVEMENT COMPANY.

#### INCREASE OF CAPITAL STOCK.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify, that Willis J. Hulings, vice-president and acting president of the "West Virginia Improvement Company," a corporation created under the laws of the state of West Virginia, has certified to me under his signature and the common seal of said corporation, that at a meeting held on the 16th day of June, 1885, at their office in the city of Charleston, at which meeting all the capital stock of said company was represented, the following resolutions were adopted :

*Resolved*, That the West Virginia Company do accept the proposition of M. Hulings and David Reynolds, and that the board of directors by its proper officers be, and they are hereby authorized and empowered, to do all acts and things necessary and proper to carry into effect the terms of said contract, and as essential thereto ; be it further,

*Resolved*, That the capital stock of this company be increased to one million dollars, by the issuance of nine thousand nine hundred and fifty additional shares of the par value of one hundred dollars each, and the president of this company be instructed to notify the secretary of state of this increase of the capital of said company.

Wherefore, I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby declare the proposed increase of capital stock as proposed by said resolution, to be authorized by law.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this third day of July, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

### LAUGHLIN NAIL COMPANY.

#### INCREASE OF CAPITAL STOCK.

I, Henry S. Walker, secretary of state of West Virginia, do hereby certify that Alexander Laughlin, President of the "Laughlin

Nail Company" a corporation created, formed and organized under the laws of the said state, has this day certified to me under his signature and the common seal of the said corporation that at a meeting of the stock holders, held at their office in the city of Wheeling on the 30th of June, 1885, the following resolution was adopted :

"That the officers of the company are directed to apply to the secretary of state of West Virginia, for privilege to increase the capital stock of the Laughlin Nail Company, from 2500 shares to 5000 shares of the the par value of \$100.00 each."

Wherefore, I do declare the increase of the capital stock and of the number of shares of stock of said company, as proposed by said resolution to be authorized by law.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this eighth day of July, eighteen hundred and eighty five.

HENRY S. WALKER,  
*Secretary of State.*

#### KANAWHA MILITARY INSTITUTE.

I, Henry S. Walker, secretary of state, of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the Kanawha Military Institute, for the purpose of establishing and carrying on in the city of Charleston, a classical, scientific, military and English school for the education males, to confer degrees, viz : A. M., A. B., C. E., M. D., B. S., D. D., LL.D.; to grant diplomas ; to acquire by purchase or otherwise such real and personal estate as may be necessary for the erection and maintaining of proper buildings and repairing the same and improving grounds thereto attached. Which corporation shall keep its principal office or place of business in the city of Charleston, in the county of Kanawha, and State of West Virginia, and is to expire on the 11th day of July, 1911. And for the purpose of forming the said corporation, we have subscribed the sum of twenty-five thousand dollars, to the capital thereof, and have paid in on said subscriptions the sum of twenty-five hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred and fifty thousand dollars.

The capital so subscribed is divided into shares of fifty dollars, which are held by the undersigned respectively as follows, that is to say :

By Thos. Fife Snyder, Charleston, W. Va., 485 shares ;

By Mary K. Snyder, Charleston, W. Va., 10 shares ;

By W. Fife Snyder, Charleston, W. Va., 2 shares ;

By Julia A. Fife, Buffalo, W. Va., 1 share ;

By W. P. Ewing, Charleston, W. Va., 1 share ;

By W. E. Fife, Buffalo, W. Va., 1 share ;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 27th day of June, 1885.

THOS. FIFE SNYDER.

MARY K. SNYDER.

W. FIFE SNYDER,

Per Thos. F. Snyder, his attorney in fact.

JULIA A. FIFE,

Per Thos. F. Snyder, her attorney in fact.

W. P. EWING,

W. E. FIFE,

Per Thos. F. Snyder, his attorney in fact.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the 11th day of July, nineteen hundred and eleven, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 11th day of July, eighteen hundred and eighty-five.

HENRY S. WALKER,

*Secretary of State.*

### THE CLARKSBURG TELEPHONE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Clarksburg Telephone Company for the purpose of constructing, maintaining, and operating a telephone line or lines, and carrying on a telephone business, and all work properly pertaining thereto in the State of West Virginia.

Which corporation shall keep its principal office or place of business at Clarksburg, in the county of Harrison, and state of West Virginia and is to expire on the 10th day of July 1905. And for the purpose of forming the said corporation, we have subscribed the sum of twelve hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum one hundred and twenty dollars; and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to fifty thousand dollars in all. The capital so subscribed is divided into shares of twenty five dollars each, which are held by the undersigned, respectively, as follows, that is to say :

By Thomas M. Jackson, Clarksburg, W. Va., ten shares ;  
 By D. Porter Morgan, Clarksburg, W. Va., ten shares ;  
 By H. L. Wells, Clarksburg, W. Va., ten shares ;  
 By Charles L. Hickman, Clarksburg, W. Va., ten shares ;  
 By John C. Vance, Clarksburg, W. Va., ten shares ;  
 And the capital to be hereafter sold is to be divided into shares  
 of the like amount.

Given under our hands this 10th day of July, 1885.

THOMAS M. JACKSON,  
 D. PORTER MORGAN,  
 H. L. WELLS,  
 CHARLES L. HICKMAN,  
 JOHN C. VANCE,

Wherefore, the corporators named in the said agreement, and  
 who have signed the same, and their successors and assigns, are  
 hereby declared to be from this date until the tenth day of July,  
 nineteen hundred and five, a corporation by the name and for the  
 purposes set forth in said agreement.

Given under my hand and the great seal of the said  
 [G. S.] state at the city of Charleston, this fifteenth day of July,  
 eighteen hundred and eighty five.

HENRY S. WALKER,  
*Secretary of State.*

## BELMONT STOVE COMPANY.

### DISSOLUTION.

I, Henry S. Walker, secretary of state of the state of West  
 Virginia, do hereby certify that Albert Zink, president of the  
 Belmont Stove Company, a corporation created, formed and or-  
 ganized under the laws of the state of West Virginia, has this  
 day certified to me under his signature and the common seal of  
 the said corporation, that at a meeting of the stockholders of the  
 said company held pursuant to law, at the office of said company,  
 in Martin's Ferry, Ohio, wherein a majority of the stock of said  
 company was represented, the following resolution was unani-  
 mously adopted :

"*Resolved*, That the business of the corporation, known as the  
 Belmont Stove Company, is herewith discontinued and the com-  
 pany dissolved. All accounts of the same shall be settled at  
 once by the president of the board of directors, and any person  
 having a just claim against said company will present same at  
 once for payment."

Wherefore, I do declare said corporation dissolved, as authorized  
 and directed in the foregoing resolution.

Given under my hand and the great seal of the said  
 [G. S.] state, at the city of Charleston, this 17th day of July,  
 1885.

HENRY S. WALKER,  
*Secretary of State.*



## PARKERSBURG CO-OPERATIVE ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been delivered to me, which agreement is in the words and figures following :

We, the undersigned, agree to become a corporation by the name of the "Parkersburg Co-operative Association," for the purpose of establishing and carrying on a general trade in all kinds of merchandise, farm and garden products, &c. And to divide the products realized from said business among its members in proportion as they have contributed to the production of said profits, by their capital, labor or custom ; to provide a safe and profitable investment for the money and profits so saved by its members in a constituted fund to be known as the loan fund of said association. And said association shall have authority to loan any or all of said funds on personal or real estate security. To discount notes and bills of exchange, and receive interest in advance ; to receive funds or money on deposit, and give certificates therefor. The association shall have full power to do and perform all things (not inconsistent with the laws of West Virginia), necessary or expedient to carry out the purpose and objects of said association, and acquire and hold such real estate as may be necessary for the purposes of said business.

Which corporation shall keep its principal office or place of business at Parkersburg, in the county of Wood, state of West Virginia, and is to expire on the third day of July, one thousand nine hundred and thirty-five. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of fifteen dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to ten thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively, as follows, that is to say :

By M. P. Amiss, Parkersburg, W. Va., one share ;  
 By J. F. Bowen, Parkersburg, W. Va., one share ;  
 By S. N. Black, Parkersburg, W. Va., one share ;  
 By W. H. Yates, Parkersburg, W. Va., one share ;  
 By G. B. Gibben, Parkersburg, W. Va., one share ;  
 By J. B. Dorsey, Parkersburg, W. Va., one share ;  
 By G. W. Watson, Parkersburg, W. Va., one share ;  
 By J. C. Stealey, Parkersburg, W. Va., one share ;  
 By Jesse Pierce, Parkersburg, W. Va., one share ;  
 By Paul Rapp, Parkersburg, W. Va., one share ;  
 By C. W. Mayhall, Parkersburg, W. Va., one share ;  
 By Jacob Piersol, Parkersburg, W. Va., one share ;  
 By L. W. Hughes, Parkersburg, W. Va., one share ;  
 By John J. Ozden, Parkersburg, W. Va., one share ;  
 By James A. Roach, Parkersburg, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 3d day of July, eighteen hundred and eighty-five.

M. P. AMISS,  
 J. F. BOWEN,  
 S. N. BLACK,  
 W. H. YATES,  
 G. B. GIBBENS,  
 J. B. DORSEY,  
 GEO. W. WATSON,  
 J. C. STEALY,  
 JESSE PIERCE,  
 PAUL RAPP,  
 C. W. MAYHALL,  
 JACOB PIERSOL,  
 L. W. HUGHES,  
 JOHN J. OGDEN,  
 JAMES A. ROACH.

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the third day of July, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 17th day of July, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

### BURRY COAL AND COKE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Burry Coal and Coke Company, for the purpose of mining, selling and shipping coal, manufacturing selling and ship-coke, and of purchasing and leasing coal and mineral and timber lands for said purposes, and to transact any and all business necessarily connected with the carrying out of the purposes of this corporation, or calculated to facilitate the same; which corporation shall keep its principal office or place of business at Stone Cliff, in the county of Fayette, and state of West Virginia, and is to expire on the 1st day of January, nineteen hundred and thirty-three.

And for the forming said corporation we have subscribed the sum of thirty-five thousand dollars to the capital thereof and have

paid in on said subscriptions the sum of thirty-five hundred dollars, and desire the privilege of increasing the said capital by the sales of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, that is to say:

By W. T. Thayer, Charleston, W. Va., 50 shares;

By O. A. Thayer, Charleston, W. Va., 50 shares,

By J. L. Burry, Echo, W. Va., 50 shares;

By Samuel Coit, Hartford, Conn., 50 shares;

By William Burry, Shamokin, Penn., 50 shares;

By C. C. Burry, Shamokin, Penn., 50 shares.

By O. C. Kubach, Shamokin, Penn., 50 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 16th day of July, 1885.

W. T. THAYER,	[Seal.]
J. L. BURRY,	[Seal.]
WILLIAM BURRY,	[Seal.]
OSCAR C. KUBACH,	[Seal.]
C. C. BURRY,	[Seal.]
SAMUEL COIT,	[Seal.]
O. A. THAYER.	[Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty three, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said [G. S.] State at the city of Charleston, this twentieth day of July, 1885.

HENRY S. WALKER,  
*Secretary of State.*

### THE FLORENCE ICE MACHINE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Florence Ice Machine Company, for the purpose of manufacturing ice-making machinery and machinery for cooling and refrigerating purposes, the making of ice and the desiccating and preservation of fruit, vegetables and like substances; which corporation shall keep its principal office or place of business at the city of Baltimore, in the county of Baltimore and state of Maryland, and is to expire on the first day of June, 1935. And for the

purpose of forming the said corporation, we have subscribed the sum of twenty-five hundred dollars (\$2,500.00) to the capital thereof, and have paid in on said subscriptions the sum of two hundred and fifty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one million dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Hiram Wiesenfield, Baltimore, Md., five shares;

By David Wiesenfield, Baltimore, Md., five shares;

By John Patten, New York City, N. Y., five shares;

By Joe Emerich, New York City, N. Y., five shares;

By John B. Milner, Baltimore, Md., five shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 22nd day of June, 1885.

HIRAM WIESENFIELD, [Seal.]

DAVID WIESENFIELD, [Seal.]

JOHN PATTEN, [Seal.]

JOE EMERICH, [Seal.]

JOHN B. MILNER, [Seal.]

Wherefore, the corporators named in said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of June, nine teen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 23d day of July, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

## THE KROTOPHONE COMPANY OF WEST VIRGINIA.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Krotophone Company of West Virginia, for the purpose of purchasing, manufacturing, constructing, operating, selling and leasing Krotophones and of wires connecting the same from different points, of purchasing and taking out letters patent of the United States and elsewhere for improvement in Krotophones, of selling such letters patents or parts thereof or of rights thereunder, of issuing licenses thereunder and generally dealing in Krotophones or other instruments for the conveyance of sound by electric wire or otherwise and in letters patent for improvements therein.

Which corporation shall keep its principal office or place of business at Philadelphia, in the county of Philadelphia and state of Pennsylvania, and is to expire on the first day of July, A. D. 1935. And for the purpose of forming the said corporation we have subscribed the sum of fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one million dollars in all.

The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively, as follows. that is to say :

By S. A. Barnes, Philadelphia, one share ;  
 By George W. Cope, Philadelphia, one share ;  
 By Wesley Stretch, Philadelphia, one share ;  
 By D. R. Patterson, Philadelphia, one share ;  
 By James M. Taggart, Philadelphia, one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this eleventh day of July, A. D. 1885.

S. A. BARNES.  
 GEORGE W. COPE.  
 WESLEY STRETCH.  
 D. R. PATTERSON.  
 JAMES M. TAGGERT.

Wherefore, the corporators named in the said agreement, and who have signed the same and their successors and assigns, are hereby declared to be from this date until the first day of July nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this twenty first day of July, eighteen hundred and eighty five.

HENRY S. WALKER,  
*Secretary of State.*

#### PINEY RIVER BOOM, DAM AND LUMBER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Piney River Boom, Dam and Lumber Company, for the purpose of constructing, maintaining and operating booms with or without dams on Piney river in Raleigh county, West Virginia, and for the purpose of blasting the rock and cleaning and removing obstructions from the bed of said stream, and to do such other work on said stream as may be necessary to make it practicable to drive

logs, staves and other lumber down said stream to the mouth thereof. One of said booms and dams to be constructed at or near a point about sixty-seven poles above the old dam erected by the Piney Boom and Dam Company just below the mouth of a branch running into said river, called Bat-off, another of said booms and dams to be constructed on said river at or near a point designated by two marked hemlocks and a gum a short distance below the place where the line of the lands of Edwin Prince strike said river, another one of said booms or dams to be constructed at or near a point on said river about  $2\frac{1}{4}$  miles below Asa Spangle's Mill, just above a fall on said river and indicated by three beeches and two hemlocks all marked. And the other one of said booms and dams to be constructed at or near a point on said river about 160 poles below the mouth of Big Beaver Creek at a place where there is an offset in a rock in the bed of the river against which the water runs, said booms and dams to be constructed for the purpose of stopping boats, rafts, logs, masts, spars, staves, railway ties, and other lumber, and for the purpose of driving logs and other lumber down said stream to the mouth thereof and for performing on said river and all its tributaries any and all the functions assigned or allowed to boom companies by an act of the legislature of West Virginia passed February 28th, one thousand eight hundred and seventy-seven, as amended and re-enacted by chapter thirty nine, of the acts of the legislature of West Virginia, passed March tenth, one thousand eight hundred and eighty-one, and as amended and re-enacted by chapter eleven, of the acts of one thousand eight hundred and eighty-two, and as further enacted by the legislature of West Virginia, during its session of one thousand eight hundred and eighty-three, and one thousand eight hundred and eighty five, and the several sessions amendatory thereto authorizing the formation of corporations for the purpose of constructing, operating and maintaining booms and dams and for such other purposes and operations as may be lawful and necessary under said several acts of the legislature of West Virginia, to the successful working of the enterprise herein indicated. Which corporation shall have its principal office at Raleigh Court House, in the county of Raleigh, in the state of West Virginia, and is to commence on the first day of September, 1885, and to expire on the first day of September, 1934. And for the purpose of forming said corporation, we have subscribed the sum of fifteen hundred dollars to the capital thereof, and have paid in the sum of one hundred and fifty dollars thereof, and desire the privilege of increasing the said capital by the sales of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, that is to say:

Joseph B. Power, of Charleston, West Virginia, three shares;

Thew Johnson, of Hyner, Clinton county, Pennsylvania, three shares;

John W. Johnson, of Hyner, Clinton county, Pennsylvania, three shares;

William C. Weaver, of Hyner, Clinton county, Pennsylvania, three shares;

Frederick S. Johnson, of Lockhaven, Clinton county, Pennsylvania, three shares.

And the capital hereafter sold to be divided into shares of like amount.

Given under our hands this 18th day of July, A. D., one thousand eight hundred and eighty-five.

J. B. POWER,  
THEW JOHNSON,  
J. W. JOHNSON,  
WILLAM C. WEAVER,  
FREDERICK S. JOHNSON,

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of September, nineteen hundred and thirty-four, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said [G. S.] State at the city of Charleston, this 27th day of July, 1885.

HENRY S. WALKER,  
*Secretary of State.*

---

#### WASHINGTON HEAT AND POWER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Washington Heat and Power Company for the purpose of transporting heat and power by means of superheated water and steam from a central depot through proper pipes laid under the streets in order for compensation and gain, to heat houses, to furnish power for manufacturing and commercial purposes, to run elevators, to cook, to propel street cars, to extinguish fire in buildings and to do any and all other things for which by this process they may be available under the various patents issued by the United States for inventions by William E. Prall. And further to manufacture, sell and put in place all such articles as may be necessary for the adaptation and utilization of superheated water and steam to and for the purposes which they may be used.

Which corporation shall keep its principal office or place of business at the city of Washington, in the District of Columbia, and is to expire on the sixteenth day of July, 1935. And for the purpose of forming the said corporation, we have subscribed the sum of thirteen hundred and seventy five dollars, to the capital

thereof, and have paid in on said subscriptions the sum of one hundred and thirty seven dollars and fifty cents, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to the sum of five hundred thousand dollars in all.

The capital so subscribed is divided into shares of twenty five dollars each, which are held by the undersigned respectively as follows, that is to say :

By Sam'l M. Bryan, Washington, D. C., twenty shares.

By Benj. F. Gay, Washington, D. C., ten shares.

By J. W. Boteler, Washington, D. C., one share.

By Z. T. Sowers, Washington, D. C., ten shares.

By J. B. Bryan, Washington, D. C., ten shares.

By Frank W. Moulton, Washington, D. C., four shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this sixteenth day of July, eighteen hundred and eighty five.

SAM'L. M. BRYAN,  
BENJ. F. GAY,  
J. W. BOTELEK,  
Z. T. SOWERS,  
J. B. BRYAN,  
FRANK W. MOULTON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the sixteenth day of July, nineteen hundred and thirty five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty seventh day of July, eighteen hundred and eighty five.

HENRY S. WALKER,  
*Secretary of State.*

## KANAWHA IRON ROOFING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Kanawha Iron Roofing Company, for the purpose of manufacturing and selling the Guthrie metallic roofing and other metallic roofings, and carrying on the business incident thereto: which corporation shall keep its principal office or place of business at Charleston in the county of Kanawha, state of West Virginia, and is to expire on the first day of July, 1935, A. D. And for the purpose of forming the said corporation we have subscribed the



sum of \$12,000 to the capital thereof, and have paid in on said subscriptions the sum of \$1,200 and desire the privilege of increasing the said capital by the sale of additional shares from time to time to fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say :

By V. A. Gates, of Charleston, W. Va., twenty shares;

By W. I. Oakes, of Charleston, W. Va., thirty shares;

By E. V. Oakes, of Charleston, W. Va., ten shares;

By George F. Wolf, of Charleston, W. Va., twenty shares;

By W. S. Hanna, of Charleston, W. Va., forty shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 30th day of July, 1885.

W. I. OAKES,  
W. S. HANNA,  
GEO. F. WOLF,  
E. V. OAKES,  
V. A. GATES.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of July, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G.S.] state at the city of Charleston, this 30th day of July, eighteen hundred and eighty five.

HENRY S. WALKER,  
*Secretary of State.*

---

#### ST. GEORGE ACADEMY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the St. George Academy, for the purpose of establishing, operating and maintaining a school within the corporate limits of the town of St. George, in Tucker County, West Virginia, to be known as the St. George Academy, which school shall be under the control, directorship and management of a board of directors to be chosen by the stockholders in the manner provided by law, which board of directors shall consist of seven persons, one of whom shall be chosen president and shall hold their offices for the period provided by law and during their continuance in office

shall have full power to employ a teacher or teachers and fix their salaries, determine the number of students to be admitted to said school fix and determine the amount of tuition to be paid by each student and prescribe the time of payment of such tuition fees, prescribe rules and regulations for the government of said school, fix and determine the number of months said school shall be kept in operation each year, prescribe a course or courses of study, provide for the conferring of appropriate graduation degrees upon each student as shall pass a satisfactory examination upon any prescribed course of study, provide for the suspension or expulsion from said school of any student affected or suspected to be affected with any contagious or infectious disease and also for the suspension or expulsion of any student from said school who refuses or fails to comply with the rules or regulation prescribed for the government thereof: in short the said board of directors shall have full power and authority to do any or all things needful for the accomplishments of the objects and designs of the proposed corporation to the end that all students shall have a full and fair opportunity to acquire such useful knowledge and receive such moral training as will enable them to become useful and exemplary citizens.

Said corporations shall have full power and authority to acquire such lands and tenements not exceeding the amount authorized by law for such purposes as may be necessary for the purposes aforesaid and may erect or cause to be erected such buildings, and place or caused to be placed such improvements on said lands, and acquire by purchase, bequest or gift such libraries, books, maps, charts, furniture and fixtures as may be needful or appropriate and consistent with the general objects and designs of said corporation. Which corporation shall keep its principal office or place of business at St. George, in the county of Tucker, State of West Virginia and shall expire on the 31st day of December, nineteen hundred and forty-nine (1949). And for the purpose of forming said corporation we have subscribed the sum of seventy dollars (\$70) to the capital thereof and have paid in on said subscription the sum of seven dollars (\$7), and desire the privilege of increasing said capital by the sale of additional shares from time to time to twenty thousand dollars (\$20,000) in all. The capital so subscribed is divided into shares of five dollars (\$5) each, which are held by the undersigned respectively as follows that is to say:

- By John J. Adams, of St. George, W. Va., two (2) shares;
- By A. O. Minear, of St. George, W. Va., two (2) shares;
- By Wm. Lipscomb, of St. George, W. Va., two (2) shares;
- By Bascom Baker, of St. George, W. Va., two (2) shares;
- By Wm. E. Talbott, of St. George, W. Va., two (2) shares;
- By W. B. Maxwell, of St. George, W. Va., two (2) shares;
- By S. E. Parsons, of St. George, W. Va., two (2) shares.
- By E. Harper, St. George, W. Va., two (2) shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 20th day of July, 1885.

JOHN J. ADAMS,  
 BASCOM BAKER,  
 A. C. MINEAR,  
 WM. E. TALBOTT,  
 S. E. PARSONS,  
 E. HARPER,  
 WM. H. LIPSCOMB,  
 W. B. MAXWELL.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the 31st of December, nineteen hundred and forty-nine, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this first day of August, 1885.

HENRY S. WALKER,  
*Secretary of State.*

#### THE BARTLETT FIRE EXTINGUISHING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Bartlett Fire Extinguishing Company," for the purpose of purchasing and selling letters patent, granted by the United States and other countries, for improvements in fire extinguishing apparatus and for purchasing, selling and manufacturing patented fire extinguishing apparatus. Which corporation shall keep its principal office or place of business at the city of Washington, county of Washington, and District of Columbia, and is to expire on the first day of July, A. D., 1935. And for the purpose of forming said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say :

By Wallace A. Bartlett, of Washington, D. C., two shares ;  
 By Geo. M. Fillmore, of Washington, D. C., two shares ;  
 By H. H. Blackburn, of Washington, D. C., two shares ;  
 By J. H. Russell, of Washington, D. C., two shares ;  
 By Geo. W. Bonnell, of Washington, D. C., two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 24th day of July, 1885.

WALLACE A. BARTLETT,  
GEO. M. FILLMORE,  
H. H. BLACKBURN,  
J. H. RUSSELL,  
GEORGE W. BONNELL.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of July, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this nineteenth day of August, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

#### THE BUFFALO CREEK BOOM AND DAM COMPANY.

At a general meeting of the stockholders of The Buffalo Creek Boom and Dam Company, held at its office in Terra Alta, Preston county, West Virginia, on the 18th day of August, 1885, a majority of the capital stock being represented, it was unanimously

“*Resolved*, That the business of this corporation be discontinued from this date.”

[Seal.]

SCOTT T. JONES,  
*President.*

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the foregoing writing was this day presented to me in my said office and duly admitted to record.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 28th day of August, 1885.

HENRY S. WALKER,  
*Secretary State.*

#### OCEAN MINING COMPANY OF WEST VIRGINIA.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of

The Ocean Mining Company of West Virginia, for the purpose of mining, selling and shipping coal, manufacturing, selling and shipping coke, and of purchasing and leasing coal and mineral and timber lands for said purposes, and to transact any and all other business necessarily connected with the purposes of this corporation or calculated to facilitate the same. Which corporation shall keep its principal office or place of business at the Chamber of Commerce building or other suitable place, in Baltimore city, state of Maryland and is to expire on the first day of January, A. D. 1900.

And for the purpose of forming said corporation we have subscribed the sum of two thousand dollars to the capital thereof, and have paid in on said subscription the sum of two thousand dollars in full, and desire the privilege of increasing said capital by the sale of additional shares from time to time to fifty thousand dollars in all.

The capital so subscribed is divided into two thousand shares of one dollareach, which are held by the undersigned respectively as follows, that is to say:

John Wilson, of Baltimore City, Md., 900 shares.

H. Crawford Black, of Baltimore City, Md., 500 shares.

John Sheridan, of Piedmont, Mineral Co., W. Va., 499 shares.

P. E. Haldeman, of Piedmont, Mineral Co., W. Va., 1 share.

R. D. Wilson, of Bridgeport, Harrison Co., W. Va., 100 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-third day of July, 1885.

JOHN WILSON. [Seal.]

H. CRAWFORD BLACK. [Seal.]

JOHN SHERIDAN, [Seal.]

P. E. HALDEMAN. [Seal.]

R. D. WILSON. [Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of said state, at the city of Charleston, this 7th day of September, eighteen hundred and eighty five.

HENRY S. WALKER,  
*Secretary of State.*

### THE TAYLOR NUT LOCK COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day de-

livered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Taylor Nut Lock Company, for the purpose of manufacturing and selling in this state or elsewhere, the nut lock, for any use to which it may be applied; also, for the purpose of selling rights and licenses, under their patents, to others to manufacture for sale or to use, or for them to have manufactured for their use or sale; which corporation shall keep its principal office or place of business at Philadelphia, state of Pennsylvania, and is to expire on the twenty-seventh day of August, A. D. 1935. And for the purpose of forming said corporation we have subscribed the sum of seven hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of seventy-five dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one million dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say:

By W. S. Taylor, Huntingdon, Pa., three shares;

By H. C. Madden, Huntingdon, Pa., three shares;

By John H. Dilks, Philadelphia, Pa., three shares;

By H. D. Hughes, Philadelphia, Pa., three shares;

By J. W. Dilks, Philadelphia, Pa., three shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty seventh day of August, A. D. 1885.

J. H. DILKS,

H. D. HUGHES,

J. W. DILKS,

W. S. TAYLOR,

H. C. MADDEN.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-seventh day of August, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this fifteenth day of September, eighteen hundred and eighty-five.

HENRY S. WALKER,

*Secretary of State.*

### THE PETROLEUM, FUEL AND MOTOR COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Petroleum Fuel and Motor Company, for the purpose of making, using and vending and licensing others to make, use and vend devices for and methods for using petroleum and other substances for fuel, and of buying and selling patents in the matter of same; which corporation shall keep its principal office or place of business at the city of Washington, in the District of Columbia, and is to expire on the twenty-sixth day of September, in the year nineteen hundred and five. And for the purpose of forming said corporation we have subscribed the sum of five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of five hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to five hundred thousand dollars in all. The capital so subscribed is divided into shares of twenty-five dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By Walter S. Cox, of the city of Washington, D. C., 40 shares;

By William F. Mattingly, of the city of Washington, D. C., 40 shares;

By William E. Howard, of the city of Washington, D. C., 40 shares;

By George T. Howard, of the city of Washington, D. C., 40 shares;

By Millard F. Halleck, of the city of Washington, D. C., 40 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-sixth day of September, in the year eighteen hundred and eighty-five.

WALTER S. COX,  
WM. F. MATTINGLY,  
W. E. HOWARD,  
GEO. T. HOWARD.

MILLARD F. HALLECK.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-sixth day of September, nineteen hundred and five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state of the city of Charleston, this thirtieth day of September, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

### MOUNT FARM COAL AND OIL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that R. J. Watson; President of the Mount Farm Coal and Oil Company, a corporation created, formed and or-

ganized under the laws of the State of West Virginia, has certified to me under his personal signature and the corporate seal of said company that at a meeting of the stockholders of said company, held pursuant to notice as required by law, on the tenth day of September, 1885, the following resolution was adopted:

"WHEREAS, The time of the continuance of this company is limited by the agreement for its formation to the 12th day of January, 1886, and the stockholders desire to extend that time pursuant to the provisions of chapter 97 of the Acts of the Legislature of West Virginia, passed in the year 1882, for the period herein below stated:

*Resolved*, That the time of the continuance of this company be extended for fifty years beyond said 12th day of January, 1886, and that the President be authorized and requested to certify this resolution under his signature and the seal of the company to the secretary of state of West Virginia, and to do whatsoever else may be necessary to secure such extension."

Wherefore, I do declare said extension of the time of said company's existence to be authorized by law, and that the charter of said Mount Farm Coal and Oil Company shall be in force and is hereby extended until the 12th day of January, 1936

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 14th day of October, eighteen hundred and eighty-five.

HENRY S WALKER,  
*Secretary of State.*

### BUCKHANNON RIVER LUMBER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Buckhannon River Lumber Company, for the purpose of buying lands having timber thereon and buying timber privileges and timber standing on lands of others and buying logs and converting all such timber and logs into lumber and buying timber of all kinds and manufacturing doors, sash frames for doors and windows, and frames for houses, headings, staves and barrels and other kinds of wooden vessels, and handles for all kinds of tools, utensils and implements and other articles manufactured from wood, and gathering and buying tan bark and selling and disposing of all such lumber and articles which may be so manufactured by said company and such tan bark and generally to carry on a general lumber business and manufacture useful articles therefrom and sell the same: Which corporation shall keep its principal office or place of business at Buckhannon in the county of Upshur, and is to expire on the 1st day of October, 1935. And for the purpose of forming



the said corporation we have subscribed the sum of five hundred dollars to the capital stock thereof and have paid in on said subscriptions the sum of fifty dollars and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each which are held by the undersigned respectively, as follows, that is to say:

By Levi Leonard, Buckhannon, W. Va., 1 share ;

By G. A. Newlon Buckhannon, W. Va., 1 share ;

By Henry Brannon, Weston, W. Va., 1 share ;

By R. E. Hudkins, Buckhannon, W. Va., 1 share ;

By Thos. A. Edwards, West W. Va., 1 share

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 8th day of October, 1885.

LEVI LEONARD,

G. A. NEWLON,

HENRY BRANNON,

R. E. HUDKINS,

THOMAS A. EDWARDS.

Wherefore, the corporators named in the said agreement, and who have signed the same, their successors and assigns, are hereby declared to be from this date until the first day of October, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said [G S.] State at the Charleston, this fifteenth day of October, eighteen hundred and eighty five.

HENRY S. WALKER,

*Secretary of State.*

### THE SHELLABARGER LIVE STOCK CAR COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following.

The undersigned agree to become a corporation by the name of The Shellabarger Live Stock Car Company, for the purpose of Manufacturing, owning, introducing and operating compartment stock cars and general freightage purposes.

The aforesaid Shellabarger Live Stock Car Company shall have the sole and entire use and control of "The Shellabarger Compartment Stock Car patent" for the United States. The operations of the company may embrace the introduction of its compartment car on payment of royalty on the various railroads of the United States. Which corporation shall keep its principal

office or place of business at the city of Washington, in the District of Columbia, and is to expire on the first day of August, 1935. And for the purpose of forming the said corporation we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to five hundred thousand dollars (\$500,000) in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Wm. W. Herron, 1710 15th street, N. W., one share;  
 By A. B. Claxton, 1451 Pierce Place, N. W., one share;  
 By Wm. B. Mathews 1457 Rhode Island ave., N. W., one share;  
 By Frank Ivey Wood, 433 Massachusetts ave., N. W., one share;  
 By Calvin S. Mixter, Pension Office, one share;  
 By H. D. Boteler, 923 Pennsylvania ave., one share;  
 By George A. Armes, 1337 F street, one share;  
 By C. H. Davis, 1322 S street, one share;  
 By H. C. Rogers, 1520 S street, N. W., one share;  
 By Charles C. Duncanson, 9th and D streets, N. W., one share;  
 All of Washington, District of Columbia.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 16th day of September, 1885.

H. C. ROGERS,  
 CHAS. C. DUNCANSON,  
 H. D. BOTELER,  
 GEORGE A. ARMES,  
 C. H. DAVIS,  
 WM. W. HERRON,  
 A. B. CLAXTON,  
 WM. B. MATHEWS,  
 FRANK IVEY WOOD,  
 CALVIN S. MIXTER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of August, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-first day of October, eighteen hundred and eighty-five

HENRY S. WALKER,  
*Secretary of State.*

## THE PNEUMATIC SIGNAL AND TELEPHONE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and

accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Pneumatic Signal and Telephone Company for the purpose of purchasing, selling and leasing privileges and rights secured by letters patent granted by the United States for pneumatic telephones, signaling devices and other pneumatic appliances, and for purchasing, selling, leasing and manufacturing said telephone devices and appliances; and for the purpose of purchasing, selling and leasing privileges and rights secured by letters patent granted by other countries than the United States of America aforesaid for pneumatic telephones, signaling devices and other pneumatic appliances, and for purchasing, selling, leasing and manufacturing said telephone devices and appliances. Which corporation shall keep its principal office or place of business at Washington, District of Columbia, in the county of Washington, District of Columbia, and is to expire on the first day of October, 1935. And for the purpose of forming the said corporation we have subscribed the sum of fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of ten dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one million dollars in all.

The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively as follows, that is to say:

By Jay Cooke, Washington, D. C., one share;  
 By Charles W. Hayden, Washington, D. C., one share;  
 By Harry F. Denny, Washington, D. C., one share;  
 By Pitt Cooke, Washington, D. C., one share;  
 By James A. Maloney, Washington, D. C., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 21st day of October, 1885.

JAY COOKE.  
 CHARLES W. HAYDEN.  
 HARRY F. DENNY,  
 PITT COOKE.  
 JAMES A. MALONEY.

Wherefore, the incorporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of October, nineteen hundred and thirty five a corporation by the name and for the purposes set forth in said agreement.

[L. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this twenty second day of October, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

## BEAVER FALLS IRON COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Beaver Falls Iron Company, for the purpose of manufacturing and dealing in sheet iron and other products of iron and steel, and boring for natural gas, and dealing in natural gas, and transporting the same by means of pipes or otherwise for public as well as for private use, which corporation shall keep its principal office or place of business at Beaver Falls, in the county of Beaver, state of Pennsylvania, and is to expire on the 24th day of October, 1935. And for the purpose of forming the said corporation we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Nelson E. Whitaker, one share;

By Edwin C. Ewing, one share;

By Loring Downs, one share;

By Edward L. Pratt, one share;

By William P. Hubbard, one share;

All of Wheeling, W. Va.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 27th day of October, 1885.

NELSON E. WHITAKER,

EDWIN C. EWING,

LORING DOWNS,

EDWARD L. PRATT,

WILLIAM P. HUBBARD.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-fourth day of October, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this thirtieth day of October, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

THE NATIONAL INVESTMENT AND DEVELOPEMENT  
COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that George B. Welch, President of The National Investment and Development Company, a corporation created under the laws of the state of West Virginia has certified to me under his signature and the common seal of said corporation attested by the signature of John H. Lindley, its secretary, that at a meeting of the stockholders of said corporation held on the first day of October, 1885, the following resolution was adopted :

*Resolved*, That the charter of the company be and is hereby amended by striking out after the words "cold storage warehouses" on the 8th line the words and for this purpose we desire to purchase, hold, lease, sell and convey, real property to the value of one hundred thousand dollars (\$100,000) and personal property to the value of one hundred and fifty thousand dollars (\$150,000) and by adding after the words cold storage ware houses on the 8th line "and any manufacturing, mining, milling and commercial enterprise, also to receive funds from individuals, corporations or firm. for investment and act as a trustee and treasurer for the transaction of business enterprise so that the charter shall read "to negotiate for the investment of capital in and the development of ice factories and cold storage warehouses and to do and perform all other acts and things necessary and proper to be done for carrying on the business of ice making and building cold storage warehouses and any manufacturing, mining, milling and commercial enterprise, also to receive funds from individuals, corporations or firms for investment and act as trustee and treasurer for the transaction of business enterprises.

Wherefore, I do declare the amendments proposed to be authorized by law.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this 7th day of November, 1885.

HENRY S. WALKER,  
*Secretary of State.*

J. L. RUMBARGER LUMBER COMPAMY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that J. L. Rumbarger, President of the J. L. Rumbarger Lumber Company, a corporation created under the laws of the state of West Virginia, has certified to me under his hand and the corporate seal of said corporation. attested by the signature of F. T. Rumbarger, its Secretary and Treasurer, the transaction of the following business by the stockholders of said company :

"I, J. L. Rumberger, President of the J. L. Rumber, Company, a corporation duly created under the laws of the state of West Virginia, hereby certify that at a special meeting of the stockholders, held in Dobbin, West Virginia, by previous arrangement, B. L. Chase, of Haysville, Ohio, paid in (\$10,000) ten thousand dollars additional to the capital stock, and 100 shares of \$100 each were accordingly entered in the stock register as held by him. It was further resolved that the main office shall be moved from Gosport, Indiana, to Davis, Tucker county, W. Va.; that a branch office is hereby established at Dobbin, Grant county, W. Va.; that the branch office at St. George, Tucker county, W. Va., is hereby discontinued. Witness my hand and seal of said corporation, this 26th day of October, 1885.

J. L. RUMBARGER, Pres.

Attest: F T. RUMBARGER, Sec'y and Treas.

(Seal .

Wherefore, I do declare proposed increase of capital stock and the proposed amendments to the said charter, to be authorized by law.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 10th day of November, 1885.

HENRY S. WALKER,  
*Secretary of State.*

### THE NATIONAL TYPOGRAPHIC COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that L. G. Hine, president, and Samuel M. Bryan, secretary, of the National Typographic Company, have, in the manner prescribed by law, certified to me the proceedings of a general meeting of the stockholders of said company, held at the city of Washington, on the 13th day of October, 1885, and of a meeting of the board of directors of said company, held on the 9th day of November, 1885, changing the principal office of said company, as follows:

*To the Secretary of State of the State of West Virginia :*

SIR:—The following resolution was adopted by the affirmative vote of the owners of over twenty thousand shares of the stock of the National Typographic Company, at a general meeting called for and held on the 13th day of October, A. D. 1885, at the city of Washington, D. C., for the purpose of considering the question of the removal of the principal office of the company to the city of New York, to wit:

"Resolved, That the principal office of The National Typographic Company be located in the city of New York, on and after the 10th day of November, A. D. 1885."

WHITELAW REID, *Chairman.*

SAMUEL M. BRYAN, *Secretary.*

The above resolution having been communicated by the secretary of the meeting of the stockholders of The National Typographic Company to the board of directors of The National Typographic Company, at a meeting of said board held on the 9th day of November, 1885, the following resolution was adopted, to wit:

“*Resolved*, That the president be directed to communicate the foregoing resolution to the honorable the secretary of state of the state of West Virginia, with a request that the same be filed in his office, in accordance with the provisions of the certificate of incorporation of said company issued December 20th, A. D. 1883.”

L. G. HINE, *President*,

Teste—SAMUEL M. BRYAN,  
[Seal.] *Secretary*.

Wherefore, the record of the proceedings aforesaid having this day been filed and admitted to record in my said office, I do declare the said change of the principal office of The National Typographic Company to be authorized by law, and that the principal office of said company shall be located in the city of New York as directed by the resolution above recited.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this 13th day of November, 1885.

HENRY S. WALKER,  
*Secretary of State*.

#### THE CAPITAL TYPE-WRITING MACHINE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Capital Type-writing Machine Company, for the purpose of building, selling, leasing and licensing type-writing machines and machinery and acquiring, holding and selling inventions, patents and patent rights and licenses for and relating to machine type writing and type-writing machinery.

Which corporation shall keep its principal office or place of business at Washington, in the District of Columbia, and is to expire on the 1st day of January, 1918. And for the purpose of forming the said corporation we have subscribed the sum of three thousand five hundred (\$3,500) dollars to the capital thereof, and have paid in on said subscriptions the sum of three thousand five hundred (\$3,500) dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time to seven hundred and fifty thousand (\$750,000) dollars in all. The capital so subscribed is divided into shares of twenty-five (25) dollars each which are held by the undersigned respectively, as follows, that is to say:

By William W. Metcalf, No. 1531 Vermont avenue, Washington, D. C., 40 shares;

By D. F. Murphy, Washington, D. C., 314 C. St. N. W., 20 shares;

By Francis Hufty, 1301 F. St. N. W., Washington, D. C., 10 shares;

By Andrew Devine, 130 C. St. S. E., Washington, D. C., 20 shares;

By Maurice Pechin, 616 C. St. N. E., Washington, D. C., 20 shares;

By Samuel E. Wheatley, 1314 30th St. Washington, D. C., 30 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-sixth day of October, one thousand eight hundred and eighty-five.

WILLIAM W. METCALF,  
D. F. MURPHY,  
FRANCIS HUFTY,  
ANDREW DEVINE,  
MAURICE PECHIN,  
SAMUEL E. WHEATLEY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and eighteen, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this fourteenth day of November, eighteen hundred and eighty five.

HENRY S. WALKER,  
*Secretary of State.*

#### EQUITABLE ENDOWMENT ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Equitable Endowment Association for the purpose of carrying on the business of life insurance throughout the United States. Which corporation shall keep its principal office or place of business at Washington City, in the District of Columbia, and is to expire on the thirty-first day of December, A. D 1885. And for the purpose of forming the said corporation we have subscribed the sum of twelve thousand (\$12,000) dollars to the capital thereof, and have paid in on said subscriptions the sum of twelve hundred (1,200) dollars and desire the privilege of increasing the said capital, by



the sale of additional shares from time to time to one million dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say :

By John S. Crocker, 1419 R. I. Ave. Washington, D. C., ten shares;

By John T. Varnell, Rockville Turnpike, Washington Co., D. C., ten shares;

By George J. Hill, 2000 14th St., N. W., Washington D. C., ten shares;

By Allen C. Clark, 117 7th St., N. E. Washington, D. C., ten shares;

By Richard O. Polkinhorn, 504 E St., N. W., Washington, D. C., ten shares;

By George J. Bessler, 713 F St., S. W., Washington, D. C., ten shares;

By Samuel Ceas, Bunker Hill Rd., Washington Co., D. C., ten shares;

By Appleton C. Clark, 119 C St., N. E., Washington D. C., ten shares;

By John O. Guethler, D bet. 13th and 14th Sts., S. E. Washington, D. C., ten shares;

By Irving M. Crocker, 1419 R. I. Ave., N. W., Washington D. C., ten shares;

By B. D. Carpenter, Rock Creek Ford Road Washington Co., D. C., ten shares;

By F. G. Alexander, 1525 Columbia St., Washington City, D. C., ten shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this seventh day of November, 1885.

JOHN S. CROCKER.

JOHN T. VARNELL,

GEORGE J. HILL.

ALLEN C. CLARK.

RICHARD O. POLKINHORN.

GEORGE J. BESSLER.

SAMUEL CEAS.

APPLETON P. CLARK.

JOHN O. GUETHLER.

IRVING M. CROCKER.

B. D. CARPENTER.

F. G. ALEXANDER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the thirty first day of December, nineteen hundred and eighty-five, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this fourteenth day of November, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

S. P. WELLS OIL COMPANY.

PARKERSBURG, W. VA., Nov. 25, 1885.

HENRY S. WALKER, Esq.,

*Secretary of State, Charleston, W. Va.:*

DEAR SIR:—At a meeting of the stockholders of the S. P. Wells Oil Company, held at the office of the company in Parkersburg, on Saturday, October 24, 1885, pursuant to adjournment from October 17, 1885, there were present:

S. P. Wells, representing	140 shares,
J. N. Camden, “	632 shares,
C. W. Wells, “	10 shares,
E. H. Wells, “	10 shares,
W. N. Chancellor, “	4 shares,
L. A. Cole, “	4 shares,

Total, 800 shares.

Whereby it appeared that all the stock of the company was represented at said meeting.

On motion of J. N. Camden, it was unanimously

*Resolved*, That the S. P. Wells Oil Company discontinue its business as a corporation and go into voluntary liquidation, surrendering its charter.

*Resolved*. That the president be and is hereby instructed to send the secretary of state of West Virginia, in compliance with the law, a certified copy of these resolutions under his hand and the common seal of the corporation.

*Resolved*, That the debts of the company be paid out of the first monies coming into the treasury of the company, and that thereafter dividends *pro rata* be made to the stockholders as assets are realized upon, and the officers of the company are hereby instructed to sell the effects of the company at the earliest date and at the best obtainable prices.

On motion, the meeting adjourned.

S. P. WELLS, *Chairman.*

L. A. COLE, *Secretary.*

I hereby certify that the above is a true copy of the record of the meeting of the stockholders of the S. P. Wells Oil Company, held on the 24th day of October, 1885.

In testimony whereof I hereby set my hand and affix the seal of the said company this 25th day of November, 1885.

S. P. WELLS OIL Co.,  
By S. P. WELLS, *President.*

[Seal.]

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the foregoing notice of the dissolution of the S. P. Wells Oil Company was received, filed and admitted to record in my said office, this 27th day of November, 1885.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 27th day of November, 1885.

HENRY S. WALKER,  
*Secretary of State.*

### KINGWOOD GAS, COAL AND IRON COMPANY OF WEST VIRGINIA.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that Charles Jessop, president of the Kingwood Gas Coal and Iron Company of West Virginia, a corporation created, formed and organized under the laws of the said state, has this day certified to me under his signature and the common seal of said corporation that at a meeting of the stockholders thereof held pursuant to law, at the office of the Company Number 51 Lexington Street, in the city of Baltimore, state of Maryland, November, 18th, 1885, the following resolution was adopted, a majority of the stock of said company having voted for its adoption.

*Resolved.* That the time of the continuance of this corporation be extended for the period of forty years from the termination of its present charter or certificate of incorporation and that the president of the company be and is hereby instructed to certify this resolution to the secretary of state of the state of West Virginia.

Wherefore, I do declare said extension to be authorized by law and that the charter of said Kingwood Gas, Coal and Iron Company of West Virginia, which expires by limitation on the tenth day of December, 1885, is hereby extended until the tenth day of December, 1925.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this 2nd day of December, 1885.

HENRY S. WALKER,  
*Secretary of State.*

### CO-OPERATIVE NAIL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Co-operative Nail Company, for the purpose of buying, selling and manufacturing wrought iron, cast iron, malleable iron, iron nails, steel nails, wire nails, fire brick, fire clay, coal, kegs, and other articles necessary for the manufacture and shipment of the same, and for the prosecution of any business that may be necessary in connection therewith. Which corporation shall keep its principal office or place of business at the city of Steubenville, Jefferson county and state of Ohio, and is to expire on the seventh day of December, A. D. 1905. And for the purpose of forming the said corporation, we have subscribed the sum of ten thousand dollars to the capital, and have paid in on said subscriptions the sum of one thousand dollars, and desire the privilege of increasing said capital, by the sale of additional shares from time to time, to one hundred thousand dollars in all. The capital so subscribed is divided into shares of the par value of five hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

William I. Vener, Steubenville, Ohio, one share;  
 John A. Caldwell, Steubenville, Ohio, two shares;  
 Robert R. Cox, Steubenville, Ohio, two shares;  
 Thomas Woods, Steubenville, Ohio, two shares;  
 William Riley, Steubenville, Ohio, one share;  
 B. Frank Prentiss, Steubenville, Ohio, one share;  
 William Lindsay, Steubenville, Ohio, one share;  
 William H. Caldwell, Steubenville, Ohio, two shares;  
 Joseph Woods, Steubenville, Ohio, one share;  
 Richard Coulter, Steubenville, Ohio, one share;  
 Amos Bechtol, Steubenville, Ohio, two shares;  
 James Marion, Steubenville, Ohio, one share;  
 James Reed, Steubenville, Ohio, one share;  
 Joseph Reed, Steubenville, Ohio, two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this seventh day of December, A. D. eighteen hundred and eighty-five.

WILLIAM J. VERNER,  
 WILLIAM RILEY,  
 JOSEPH WOODS,  
 JOHN A. CALDWELL,  
 B. FRANK PRENTISS,  
 RICHARD COULTER,  
 ROBERT R. COX,  
 WILLIAM LINDSAY,  
 AMOS BECHTOL,  
 THOMAS WOODS,  
 WILLIAM H. CALDWELL,  
 JAMES MARION,  
 JAMES REED,  
 JOSEPH REED.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the seventh day of December, nineteen hundred and five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this eleventh day of December, eighteen hundred and eighty-five.

HENRY S. WALKER,  
*Secretary of State.*

### CHARLESTON LUMBER AND BUILDING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Charleston Lumber and Building Company, for the purpose of owning, leasing and operating saw-mills, purchasing, manufacturing and selling lumber, brick and other building materials, building and repairing houses, boats and barges and other structures, building, maintaining and operating marine ways and docks, conducting a mercantile business in connection with said operations. And purchasing, holding and leasing such real estate as may be necessary for the successful operation of the aforesaid business.

Which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, and state of West Virginia, and is to expire on the first day of December, 1935. And for the purpose of forming the said corporation we have subscribed the sum of ten thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of ten thousand dollars and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each which are held by the undersigned, respectively, as follows, that is to say:

By J. S. Savage, Charleston, W. Va., 1 share;  
By W. A. Savage, Charleston, W. Va., 1 share;  
By P. M. Savage, Charleston, W. Va., 48 shares;  
By C. F. Stockton, Charleston, W. Va., 48 shares;  
By W. A. Bradford, Charleston, W. Va., 1 share;  
By P. F. Duffy, Charleston, W. Va., 1 share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 10th day of December, 1885.

J. S. SAVAGE,  
W. A. SAVAGE,  
P. M. SAVAGE,  
C. F. STOCKTON,  
W. A. BRADFORD,  
P. F. DUFFY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of December, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State, at the city of Charleston, this 11th day of December, 1885.

HENRY S. WALKER,  
*Secretary of State.*

#### KANAWHA AND OHIO RAILWAY COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation, signed and duly acknowledged, have this day been recorded in my office, which articles of incorporation are in the words and figures following:

We whose names are hereto subscribed desiring to become a corporation for the purpose of constructing and operating a railroad in the state of West Virginia, do hereby adopt these articles of incorporation for that purpose:

First. The name of the corporation shall be "The Kanawha and Ohio Railway Company."

Second. The railroad which this corporation proposes to build will commence at or near the north bank of the Ohio river, opposite the town of Point Pleasant, in the county of Mason, in the state of West Virginia, and run thence by the most practicable route to a point at or near the mouth of Gauley river, in the county of Fayette, in the state aforesaid.

Third. The principal business office of this corporation will be at the city of Charleston, in the county of Kanawha, in the state of West Virginia.

Fourth. This corporation shall continue perpetually.

Fifth. The capital stock of this company shall be three hundred thousand dollars, divided into shares of one hundred dollars each.

Sixth. The names and places of residence of the persons forming this corporation and the number of shares of stock subscribed by each are as follows:

Erwin Davis, Rye West Chester, New York, fourteen hundred and ninety shares.

John W. Simpson, city of New York, New York, fourteen hundred and eighty share.

William A. Quarrier, city Charleston, W. Va., ten shares.

George S. Couch, city of Charleston, W. Va., ten shares.

William E. Chilton, city of Charleston, W. Va., ten shares.

Witness the followiug signatures this 21st day of October, 1885.

ERWIN DAVIS.

JOHN W. SIMPSON.

WILLIAM A. QUARRIER.

GEO. S. COUCH.

W. E. CHILTON.

Wherefore, the corporators named in the said articles of incorporation, and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name and for the purposes for the length of time set forth in said articles of incorporation.

Given under my hand and the great seal of the said [G. S.] state, at the seat of government, this fourteenth day of December, eighteen hundred and eighty-five.

HENRY S. WALKER,

*Secretary of State.*

#### WOOD LAWN CEMETERY COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Wood Lawn Cemetery Company, for the purpose of laying out and beautifying a tract of land, to be purchased hereafter, to be used as a cemetery, in the vicinity of Fairmont, Marion county, West Virginia, which corporation shall keep its principal office or place of business at the said town of Fairmont, and is to expire on the 16th day of December, 1935. And for the purpose of forming said corporation, we have subscribed the sum of three thousand one hundred dollars to the capital thereof, and have paid in on said subscription the sum of three thousand and one hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to twenty thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Elmus Hamilton, Fairmont, W. Va., 22 shares;

By M. N. Barnes, Fairmont, W. Va., 28 shares;

By J. B. Hamilton, Fairmont, W. Va., 5 shares;

By J. H. Barnes, Fairmont, W. Va., 2 shares;

By John S. Hamilton, Fairmont, W. Va., 5 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 27th day of November, 1885.

E. HAMILTON,  
M. N. BARNES,  
J. B. HAMILTON,  
J. H. BARNES,  
JOHN S. HAMILTON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the sixteenth day of December, nineteen hundred and thirty five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this sixteenth day of December, eighteen hundred and eighty five.

HENRY S. WALKER,  
*Secretary of State.*

#### NATURAL GAS, OIL AND MINERAL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Natural Gas, Oil and Mineral Company, for the purpose of leasing and developing lands in the United States of America, for all mineral and volatile substances and for dealing in and transporting the same to market. For constructing tram-ways and roads. For the laying of pipe lines, gas mains, and the construction of all things necessary for the successful development of these natural productions and the dealing in general merchandise.

Which corporation shall keep its principal office or place of business at Clifton, in the county of Mason, West Virginia, and is to expire on the first day of December, nineteen hundred and thirty-five. And for the purpose of forming the said corporation we have subscribed the sum of three hundred and fifty dollars (\$350) to the capital thereof, and have paid in on said subscriptions the sum of thirty-five dollars, (\$35) and desire the privilege of increasing the said capital by sales of additional shares to five hundred dollars in all. The capital so subscribed is divided into shares of twenty-five dollars each which are held by the undersigned, respectively, as follows, that is to say:

By J. B. Downing, Middleport, Ohio, 1 share;  
By E. Davis, Middleport, Ohio, 1 share;  
By B. J. Redmond, Clifton, W. Va., 1 share;  
By C. Shrewsbury, Clifton, W. Va., 1 share;  
By John A. Redmond, Clifton, W. Va., 1 share;



By S. R. Bartlett, Cleveland, Ohio, 1 share ;  
 By F. C. Russell, Middleport, Ohio, 1 share ;  
 By B. R. Stevens, Clifton, W. Va., 1 share ;  
 By E. S. Grant, Middleport, Ohio, 1 share ;  
 By Roger B. Rees, Clifton, W. Va., 1 share ;  
 By William H. Grant, Middleport, Ohio, 1 share ;  
 By S. F. Maxwell, Clifton, W. Va., 1 share ;  
 By Edward Lark, Middleport, Ohio, 1 share ;  
 By E. K. H. Lland, Clifton, W. Va., 1 share  
 And the capital to be hereafter sold is to be divided into shares  
 of like amount.

Given under our hands this 1st day of December, 1885.

JOHN B. DOWNING,  
 E. DAVIS,  
 B. J. REDMOND,  
 J. A. REDMOND,  
 B. R. STEVENS,  
 S. R. BARTLETT,  
 F. C. RUSSELL,  
 C. SUREWSBURY,  
 ED. S. GRANT,  
 ROGER B. REES,  
 WILLIAM H. GRANT,  
 ED. LARK,  
 S. F. MAXWELL,  
 E. K. H. LLAND.

Wherefore, the corporators named in the said agreement, and  
 who have signed the same, and their successors and assigns, are  
 hereby declared to be from this date until the first day of Decem-  
 ber, nineteen hundred and thirty-five, a corporation by the name  
 and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said  
 [G. S.] State, at the city of Charleston, this nineteenth day of  
 December, 1885.

HENRY S. WALKER,  
*Secretary of State.*

#### BETHEL CEMETERY ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Vir-  
 ginia, hereby certify that an agreement duly acknowledged and  
 accompanied by the proper affidavits, has been this day delivered  
 to me, which agreement is in the words and figures following ;

The undersigned agree to become a corporation by the name of  
 Bethel Cemetery Association, for the purpose of establishing and  
 maintaining a cemetery in Ohio county, West Virginia, with power  
 to purchase and hold real estate to be laid off into lots and parcels  
 the same to be held and used for purposes of burial, and to do all  
 acts necessary and proper to be done in regulating and controlling  
 such cemetery, which corporation shall keep its principal office or

place of business in the city of Wheeling, in said county, and is to expire on the fifteenth day of December, 1935. And for the purpose of forming the said corporation we have subscribed the sum of one hundred and seventy-five dollars to the capital thereof and have paid in on said subscriptions the sum of seventeen and 50-100 dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to twenty-five thousand dollars in all. The capital so subscribed is divided into shares of twenty-five dollars each, which are held by the undersigned respectively as follows, that is to say, by

S. S. Block, Wheeling, W. Va., one share.

Henry Baer, Wheeling, W. Va., one share.

Simon Horkheimer, Wheeling, W. Va., one share.

Charles Kraus, Wheeling, W. Va., one share.

Morris Horkheimer, Wheeling, W. Va., one share.

Henry Speyer, Wheeling, W. Va., one share.

Julius Brilles, Wheeling, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 11th day of December, 1885.

SAMUEL S. BLOCK.

HENRY SPEYER.

SIMON HORKHEIMER.

HENRY BAER.

CHARLES KRAUS.

JULIUS BRILLES.

MORRIS HORKHEIMER.

Wherefore, the incorporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the fifteenth day of December, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

[G.S.] Given under my hand and the great seal of the said state, at the city of Charleston, this twenty-first day of December, eighteen hundred and eighty-five.

HENRY S. WALKER,

*Secretary of State.*

## PITTSBURGH AND PRESTON COUNTY RAILROAD COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation, duly signed and acknowledged, have this day been recorded in my office, which articles of incorporation are in the words and figures following:

We, the undersigned subscribers, desiring to become a corporate body for the purpose of constructing and operating a railroad

in the state of West Virginia, do hereby, for that purpose, adopt the following articles of incorporation, viz:

ARTICLE 1. The name of the corporation shall be The Pittsburgh and Preston County Railroad Company.

ARTICLE 2. The railroad which this corporation proposes to build will commence at the Pennsylvania state line, near the residence of Jonas Haut, in Grant district, in the county of Preston, state of West Virginia, and run thence down Big Sandy creek by the most practicable route *via* Clifton Mills, Brandonville and Bruceton, or as near the points mentioned as practicable; thence in a south or southeast direction, on the most practicable route, through the districts of Grant, Pleasant and Portland, to intersect the Baltimore and Ohio Railroad at some practicable point east of Cheat river and west of the Maryland state line, in the county of Preston.

ARTICLE 3. The principal business office of this corporation will be at Bruceton, in the county of Preston, state of West Virginia.

ARTICLE 4. This corporation shall continue perpetually.

ARTICLE 5. The capital stock of this company shall be one hundred thousand dollars, divided into shares of fifty dollars each.

ARTICLE 6. The names and places of residence of persons forming this corporation, and number of shares of stock subscribed by each, are as follows:

Charles Kantner, Preston county, W. Va., one share;  
 William S. Armstrong, Preston county, W. Va., one share;  
 George H. Armstrong, Preston county, W. Va., one share,  
 Sanford K. Scott, Preston county, W. Va., one share;  
 Joseph W. Michael, Preston county, W. Va., one share;  
 Samuel T. Darby, Preston county, W. Va., one share;  
 Andrew Spindler, Preston county, W. Va., one share;  
 William H. Miller, Preston county, W. Va., one share;  
 John H. Feather, Preston county, W. Va., one share.

Witness the following signatures this 28th day of December, 1885.

CHARLES KANTNER,  
 WILLIAM S. ARMSTRONG,  
 GEORGE H. ARMSTRONG,  
 SANFORD K. SCOTT,  
 JOSEPH W. MICHAEL,  
 SAMUEL T. DARBY,  
 ANDREW SPINDLER,  
 WILLIAM H. MILLER,  
 JOHN H. FEATHER.

Wherefore, the corporators named in said articles of incorporation, and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name and for the purposes and for the length of time set forth in said articles of incorporation.

Given under my hand and the great seal of the said [G. S.] state, at the seat of government thereof, this second day of January, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE PETROLEUM FUEL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Petroleum Fuel Company, for the purpose of manufacturing and selling apparatus for the combustion and use of liquid hydrocarbons for fuel, under the patents owned by the company, and of selling rights and licenses to others to use or manufacture, also for acquiring by purchase or otherwise other patent rights or licenses for the same use, also to enter into or carry on such businesses or manufacturing interests as the use of the patents owned by the company may apply to, and in fact for operating, in any manner or for any purpose whatsoever, wherein the use of said patents may be applicable.

Which corporation shall keep its principal office or place of business at Philadelphia, in the county of Philadelphia, and state of Pennsylvania, and is to expire on the 5th day of January, A. D., 1936. And for the purpose of forming the said corporation we have subscribed the sum of five thousand dollars to the capital thereof and have paid in on said subscriptions the sum of five hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each which are held by the undersigned, respectively, as follows, that is to say:

By Geo. H. Bardwell, Washington, D. C., 100 shares;

By B. F. Gould, Philadelphia, Pa., 100 shares;

By J. K. Caldwell, Philadelphia, Pa., 100 shares;

By F. B. Warner, Jr., Philadelphia, Pa., 100 shares;

By Thos. Caldwell, Atlantic City, N. J., 100 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this fifth day of January, eighteen hundred and eighty-six.

GEO. H. BARDWELL,  
THOS. CALDWELL, Jr.,  
J. K. CALDWELL,  
F. B. WARNER, Jr.,  
B. F. GOULD.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the fifth day of January, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this 8th day of January, 1886.

HENRY S. WALKER,  
*Secretary of State.*

### LAUGHLIN BROS. DRUG COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Laughlin Bros. Drug Company, for the purpose of manufacturing and compounding drugs, chemicals and medicines, of buying, selling at wholesale and retail, and dealing in all kinds of drugs, chemicals, oils, paints and patent, proprietary and other medicines, and of doing, carrying on and conducting a general merchandise and drug business. Which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio, and state of West Virginia, and is to expire on the eighth day of January, A. D. 1936. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which is held by the undersigned respectively as follows, that is to say:

By Samuel Laughlin, of the city of Wheeling, West Virginia, one share.

By Charles H. Odbert, of the city of Wheeling, West Virginia, one share.

By John L. Laughlin, of the city of Wheeling, West Virginia, one share.

By Frederick L. Laughlin, of the city of Wheeling, West Virginia, one share.

By George A. Laughlin, of the city of Wheeling, West Virginia, one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under hands this eighth day of January, A. D. 1886.

SAMUEL LAUGHLIN.

CHARLES H. ODBERT.

JOHN L. LAUGHLIN.

FREDERICK L. LAUGHLIN.

GEORGE A. LAUGHLIN.

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the eighth day of January, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this eleventh day of January, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### WHEELING JUNCTION RAILROAD COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation, duly signed and acknowledged, have this day been recorded in my office, which articles of incorporation are in the words and figures following:

We, whose names are hereto subscribed, desiring to become a corporation for the purpose of constructing and operating a railroad in the state of West Virginia, do hereby adopt these articles of incorporation for that purpose:

First—The name of the corporation shall be Wheeling Junction Railroad Company.

Second—The railroad which this corporation proposes to build will commence at or near the south line of twenty-first street, where said line crosses Water street, in the city of Wheeling, in the county of Ohio, and run thence by the most practicable route to a connection with the Wheeling, Pittsburgh and Baltimore Railroad, in said city, about eight hundred feet west of the tunnel.

Third—The principal office of said corporation will be at said city of Wheeling

Fourth—This corporation shall continue perpetually.

Fifth—The capital stock of this company shall be fifty thousand dollars, divided into shares of one hundred dollars each.

Sixth—The names and places of residence of persons forming this corporation, and the number of shares of stock subscribed by each, are as follows:

S. Spencer, of the city of Baltimore, in the state of Maryland, five shares;

John K. Cowen, of the last mentioned city, five shares;

E. J. D. Cross, of the last mentioned city, five shares;

Thomas M. King, of the last mentioned city, four hundred and sixty-five shares;

Thomas O'Brien, of said city of Wheeling, five shares;  
 Michael Reilly, of said city of Wheeling, five shares;  
 John G. Hoffman, of said city of Wheeling, five shares;  
 Robert T. Devries, of said city of Wheeling, five shares.  
 Given under our hands this ninth day of December, in the year  
 1885.

S. SPENCER,  
 E. J. D. CROSS,  
 JOHN K. COWEN,  
 THOMAS M. KING,  
 R. T. DEVRIES,  
 M. REILLY,  
 THOMAS O'BRIEN,  
 JOHN G. HOFFMAN.

Wherefore, the corporators named in said articles of incorporation, and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name, for the purpose and for the length of time set forth in said articles of incorporation.

Given under my hand and the great seal of the said  
 [G. S.] state, at the seat of government thereof, this sixteenth  
 day of January, 1886.

HENRY S. WALKER,  
*Secretary of State.*

#### JEFFERSON COUNTY BUILDING ASSOCIATION NO. 7.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Jefferson County Building Association No. 7, for the purpose of raising monies to be distributed among its members and by said members used in buying lands or houses or in building and repairing houses or for paying and liquidating liens on houses and other real estate. Which corporation shall keep its principal office or place of business at Charlestown, in the county of Jefferson and state of West Virginia, and is to expire on the first day of April, 1896. And for the purpose of forming said corporation we have subscribed the sum of six hundred and fifty dollars to the capital thereof and have paid in on said subscriptions the sum of sixty-five dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to two hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred and thirty dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By W. S. Merchant, Charlestown, Jefferson county, W. Va., 1 share;

By W. F. Lippett, Charlestown, Jefferson county, W. Va., 1 share;

By Jas. W. Butt, Charlestown, Jefferson county, W. Va., 1 share;

By B. C. Washington, Charlestown, Jefferson county, W. Va., 1 share;

By T. W. Latimer, Charlestown, Jefferson county, W. Va., 1 share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 13th day of January, 1886.

W. S. MERCHANT.

W. F. LIPPETT,

JAS. W. BUTT,

B. C. WASHINGTON,

T. W. LATIMER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of April, eighteen hundred and ninety six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this eighth day of January, eighteen hundred and eighty six.

HENRY S. WALKER,

*Secretary of State.*

## EMERSON MANUFACTURING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Emerson Manufacturing Company, for the purpose of manufacturing and selling a series or concentrated foods and other and similar products, as manufacturers and wholesale dealers, which corporation shall keep its principal office or place of business in the city, county and state of New York, and is to expire on the 1st day of December, A. D., 1935. And for the purpose of forming the said company, we have subscribed the sum of \$5,000 to the capital thereof and have paid in on said subscriptions the sum of \$500, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to \$100,000 in all. The capital so subscribed is divided into shares of \$100 each, which are held by the undersigned respectively as follows, that is to say:

Edward Emerson Waters, of the city of New York, 40 shares.

Herbert A. Fuller, of the city of New York, 2 shares.

S. C. Waters, of the city of New York, 2 shares.



## CORPORATIONS.

Frances A. Waters, of Kingston, N. Y., 4 shares.

William H. De Garmo, Kingston, N. Y., 2 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 23d day of December, A. D. 1885.

EDWARD E. WATERS, New York.

H. A. FULLER, New York.

S. C. WATERS, New York.

FRANCES A. WATERS, Kingston, N. Y.

WM. H. DE GARMO, Kingston, N. Y.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of December, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G.S.] state, at the city of Charleston, this twenty-fifth day of January, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## ENTERPRISE DETECTIVE AGENCY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavit, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Enterprise Detective Agency, for the purpose of doing a general detective business, which corporation shall keep its principal office or place of business at Coalburg, in the county of Kanawha and state of West Virginia, and is to expire on the first day of January, 1925. And for the purpose of forming the said corporation we have subscribed the sum of one hundred and twenty-five dollars to the capital thereof, and have paid in on said subscriptions the sum of twelve dollars and fifty cents, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time to ten thousand dollars in all. The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Patrick F. McAuley, Peabody, W. Va., five shares;

By John Dorsey, Coalburg, W. Va., five shares;

By Frazier H. Jarrett, Coalburg, W. Va., five shares;

By Thomas Farry, Coalburg, W. Va., five shares;

By McD. Keeny, Hampton, W. Va., five shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 4th day of January, 1886.

P. F. McAULTY,  
JOHN DORSEY,  
FRAZIER H. JARRETT,  
MCD. KEENY,  
THOMAS FARRY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and twenty-five, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this twenty-sixth day of January, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### THE OHIO VALLEY LIFE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that I. H. Duvall, President of the "Ohio Valley Protective Union," a corporation created under the laws of said state has in the manner prescribed by law certified to me that at a meeting of the stockholders of said company held on the 13th day of January, 1886, the following resolution was unanimously adopted:

"The stockholders of the 'Ohio Valley Protective Union' in general meeting assembled this 13th day of January, 1886, desiring to change the name of said company to 'The Ohio Valley Life Company,' by which name this corporation shall hereafter be known, and it is ordered that this resolution be certified under the common seal of this company and the signature of the president and secretary to the secretary of state of West Virginia, and the said secretary of state is hereby requested to issue his proper certificate declaring that this company is to be hereafter known by the name of the 'The Ohio Valley Life Company.'"

Wherefore, I do hereby declare the proposed change of name authorized by law, and that the said corporation is to be on and after this date known by the name of "The Ohio Valley Life Company."

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this 27th day of January, 1886.

HENRY S. WALKER,  
*Secretary of State.*

#### THE OHIO VALLEY PROTECTIVE UNION.

I, Henry S. Walker, secretary of state of the state of West Vir-

ginia, do hereby certify that I. H. Duval, President of the Ohio Valley Protective Union, a corporation formed under the laws of said state, has, in the manner prescribed by law, certified to me that at a general meeting of the stockholders of said corporation, held at the principal office of said company, in Wheeling, Ohio county, W. Va., on the twelfth day of January, 1886, the following resolution was unanimously adopted :

*Resolved*, by the stockholders of the Ohio Valley Protective Union in general stockholders meeting assembled, that the principal office and place of business of the company be located and fixed at the city of Wheeling, in the county of Ohio, W. Va.

*Resolved*, That the foregoing resolution be certified under the seal of the company by the president and secretary to the secretary of state, and that the secretary of state be requested to issue his certificate, authorizing the location of the principal office and place of business of the company as fixed in said resolution."

Wherefore, I do declare the proposed amendment to said charter to be authorized by law.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 27th day of January, 1886.

HENRY S. WALKER,  
*Secretary of State.*

---

## RIPLEY AND MILL CREEK VALLEY RAILROAD COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation duly signed and acknowledged have this day been recorded in my office, which articles of incorporation are in the words and figures following :

We, whose names are hereunto subscribed desiring to become a corporation for the purpose of constructing and operating a railroad in Jackson county, West Virginia, do hereby adopt these articles of agreement and incorporation for that purpose.

First—The name of the corporation shall be the "Ripley and Mill Creek Valley Railroad Company."

Second—The railroad which this corporation proposes to build will commence at or near Ripley in said county and run from thence by the most practicable route down the valley of said Mill Creek, to intersect the Ohio River Railroad and Ohio river at or near the mouth of said creek.

Third—The principal business office of this corporation will be at Ripley in the said county of Jackson, in this state.

Fourth—This corporation shall continue perpetually.

Fifth—And for the purpose of forming the said corporation we have subscribed the sum of one thousand two hundred and fifty dollars, to the capital stock thereof, and have paid in on said sub-

scriptions the sum of one hundred and twenty-five dollars and desire the privilege of increasing the said capital by the sale of additional shares from time to time to seventy five thousand dollars in all. The capital so subscribed is divided into shares of twenty-five dollars each, which are held by the undersigned, as follows, that is to say :

- By Henry C. Flesher, Jackson C. H., W. Va., 1 share;
- By F. R. Hassler, Jackson C. H., W. Va., 1 share;
- By D. K. Hood, Jackson C. H. W. Va., 1 share;
- By B. F. Armstrong, Jackson C. H., W. Va., 1 share;
- By Jno. C. McKown, Jackson C. H., W. Va., 1 share;
- By James M. Poling, Jackson C. H., W. Va., 1 share;
- By Warren Miller, Jackson C. H., W. Va., 1 share;
- By George J. Walker, Jackson C. H., W. Va., 1 share;
- By T. E. Graham, Jackson C. H., W. Va., 1 share;
- By W. T. Greer, Jackson C. H., W. Va., 1 share;
- By M. D. L. Lewis, Jackson C. H., W. Va., 1 share;
- By John Hickman, Jackson C. H., W. Va., 1 share;
- By Buenos Ayres, Jackson C. H., W. Va., 1 share;
- By H. F. Pfast, Jackson C. H., W. Va., 1 share;
- By Robert B. Graham, Jackson C. H., W. Va., 1 share;
- By John T. Vail, Jackson C. H., W. Va., 1 share;
- By E. T. Park, Jackson C. H., W. Va., 1 share;
- By W. A. Parsons, Jackson C. H., W. Va., 1 share;
- By R. S. Morgan, Jackson C. H., W. Va., 1 share;
- By G. W. Armstrong, Jackson C. H., W. Va., 1 share;
- By W. W. Riley, Jackson C. H., W. Va., 1 share;
- By E. A. Thomas, Stoa's Mills, W. Va., 1 share;
- By A. B. Hall, Jackson C. H., W. Va., 1 share;
- By C. W. Sayre, Jackson C. H., W. Va., 1 share;
- By J. A. Shinn, Fair Plain, W. Va., 1 share;
- By W. A. H. Bettis, Jackson C. H., W. Va., 1 share;
- By John M. Greer, Jackson C. H., W. Va., 1 share;
- By C. F. Straley, Jackson C. H., W. Va., 1 share;
- By Geo. B. Crow, Angerona, W. Va., 1 share;
- By Wm. Crow, Angerona, W. Va., 1 share;
- By Abe McCoy, Cottageville, W. Va., 1 share;
- By M. Challant, Cottageville, W. Va., 1 share;
- By H. Douglass, Ripley Landing, W. Va., share;
- By H. B. Creel, Ripley Landing, W. Va., 1 share;
- By M. Davis, Ripley Landing, W. Va., 1 share;
- By E. Slaughter, Cottageville, W. Va., 1 share;
- By J. G. Larvill, Cottageville, W. Va., 1 share;
- By Isaac Sayre, Angerona, W. Va., 1 share;
- By Isaiah Cunningham, Angerona, W. Va., 1 share;
- By F. Leon Clerc, Jackson C. H., W. Va., 1 share;
- By Geo. S. M. King, Jackson C. H., W. Va., 1 share;
- By John H. Riley, Marietta, Ohio, 1 share;
- By P. M. Stone, Jackson C. H., W. Va., 1 share;
- By H. A. Carper, Jackson C. H., W. Va., 1 share;
- By A. F. Parsons, Jackson C. H., W. Va., 1 share;

## CORPORATIONS.

By David F. Hyre, Jackson C. H., W. Va., 1 share ;  
 By G. P. Morrison, Kenna, W. Va., 1 share ;  
 By S. W. Stone, Jackson C. H., W. Va., 1 share ;  
 By N. M. Stewart, Jackson C. H., W. Va., 1 share ;  
 By John C. Hood, Jackson C. H., W. Va., 1 share ;  
 Given under our hands this 16th day of January, 1886.

HENRY C. FLESHER,  
 F. R. HASSLER,  
 D. K. HOOD,  
 B. F. ARMSTRONG,  
 JNO. S. MCKOWN,  
 JAS. M. POLING,  
 WARREN MILLER,  
 GEORGE J. WALKER,  
 T. E. GRAHAM,  
 W. T. GREER,  
 M. D. L. LEWIS,  
 JOHN HICKMAN,  
 BUENOS AYRES,  
 H. F. PFAST,  
 ROBT. B. GRAHAM,  
 JNO. T. VAIL,  
 E. T. PARK,  
 W. A. PARSONS,  
 R. S. MORGAN,  
 G. W. ARMSTRONG,  
 W. W. RILEY,  
 E. A. THOMAS,  
 A. B. HALL,  
 C. W. SAYRE,  
 J. A. SHINN,  
 W. A. H. BETTIS,  
 C. F. STRALEY,  
 JOHN M. GREER,  
 GEO. B. CROW,  
 WM. CROW,  
 ABE MCCOY,  
 M. CHALFANT,  
 H. DOUGLASS,  
 H. B. CREEL,  
 M. DAVIS,  
 E. SLAUGHTER,  
 J. G. LARVILL,  
 ISAAC SAYRE,  
 ISAIAH CUNNINGHAM,  
 F. LEON CLERC,  
 GEO. J. M. KING,  
 JOHN H. RILEY,  
 Per HENRY C. FLESHER,  
*Attorney in fact.*

P. M. STONE,  
 H. A. CARPER,  
 A. F. PARSONS,  
 DAVID F. HYRE,  
 G. P. MORRISON,  
 S. W. STONE,  
 N. M. STEWART,  
 JNO. C. HOOD.

Wherefore, the corporators named in the said articles of incorporation and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name, for the purpose and for the length of time set forth in said articles of incorporation.

Given under my hand and the great seal of the said state [G. S.] at the city of Charleston this thirteenth day of January, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### THE WEST VIRGINIA MANUFACTURING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The West Virginia Manufacturing Company, for the purpose of manufacturing and selling Parrishes Celebrate 1 Dry Hop Yeast, which corporation shall keep its principal office or place of business at Piedmont, in the county of Mineral, state of West Virginia, and is to expire on the 26th day of January, 1906. And for the purpose of forming the said corporation we have subscribed the sum of two thousand seven hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of two hundred and seventy-five dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to five thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, that is to say:

By J. P. A. Entler, Piedmont, W. Va., three shares;  
 By P. S. Hyde, Piedmont, W. Va., four shares;  
 By W. T. Jamesson, Westernport, Md., two shares;  
 By T. Mothy Kenny, Piedmont, W. Va., two shares;  
 By M. C. Fuller, Westernport, Md., two shares;  
 By J. W. Alderton, Piedmont, W. Va., twelve shares;  
 By R. Thompson, Westernport, Md., twelve shares;  
 By F. M. Parrieh, Piedmont, W. Va., sixteen shares;  
 By E. I. Fr. dlock, Piedmont, W. Va., two shares;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 26th day of January, 1886.

J. P. A. ENTLER,  
P. S. HYDE,  
W. T. JAMESSON,  
TIMOTHY KENNY,  
M. C. FULLER,  
J. W. ALDERTON,  
R. THOMPSON,  
F. M. PARRISH,  
E. I. FREDLOCK.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty sixth day of January, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this first day of February, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE TURNBULL INTERNATIONAL TELEPHONE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Turnbull International Telephone Company, for the purpose of purchasing, owning, selling or leasing rights secured by letters patent granted by the United States of America and other countries for telephones, telephonic transmitters and receivers' telephonic appliances and apparatus and all new inventions pertaining thereto; and for manufacturing, selling and leasing telephones and telephonic appliances and apparatus. Which corporation shall keep its principal office or place of business at the city of Washington, in the county of Washington and District of Columbia, and is to expire on the first day of January, 1936. And for the purpose of forming the said corporation we have subscribed the sum of five hundred dollars to the capital thereof and have paid in on said subscriptions the sum of one hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one million dollars in all. The capital so subscribed is divided into shares of one hundred

dollars each, which are held by the undersigned respectively as follows, that is to say:

By William C. Turnbull, Baltimore, Md., one share;  
 By Eugene S. Mitkiewicz, New York, N. Y., one share;  
 By Henry H. Blackburn, Washington, D. C., one share;  
 By W. K. Mehaffey, Washington, D. C., one share;  
 By J. R. West, Washington, D. C., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this thirteenth day of January, 1886.

WILLIAM C. TURNBULL.  
 EUGENE S. MITKIEWICZ,  
 HENRY H. BLACKBURN.  
 W. J. MEHAFFEY.  
 J. R. WEST.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this first day of February, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

### IVENHOE GRAND CONSISTORY OF THE ANCIENT ACCEPTED SCOTTISH RITE MASONRY OF WEST VIRGINIA.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Ivenhoe Grand Consistory of the Ancient Accepted Scottish Rite Masonry of West Virginia," for the purpose of establishing a Supreme Council of the 33 or last degree of the Ancient and Accepted, Scottish Rite Masonry in the state of West Virginia, to be controlled and operated by the colored citizens thereof, and generally to promote the objects and purposes of Scottish Rite Masonry.

Which corporation shall keep its principal office or place of business at Martinsburg, in the county of Berkeley, state of West Virginia, and shall continue perpetually.

And for the purpose of forming the said corporation we have subscribed the sum of twenty-five dollars to the capital thereof, and have paid in on said subscriptions the sum of five dollars; and desire the privilege of increasing the said capital by the



sale of additional shares from time to time to fifty thousand dollars in all.

The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned respectively, as follows, that is to say :

By William Swartz, Martinsburg, W. Va., one share ;

By B. H. Stillyard, Wheeling, W. Va., one share ;

By William Wood, Martinsburg, W. Va., one share ;

By Washington Duvall, Martinsburg, W. Va., one share ;

By William Preston, Martinsburg, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount

Given under our hands this first day of February, 1886.

W. M. SWARTZ,

my

W. M.  $\times$  WOOD,

name.

B. H. STILLYARD,

WASHINGTON DUVALL,

my

W. M.  $\times$  PRESTON.

name.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date perpetually, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this third day of February, eighteen hundred and eighty six.

HENRY S. WALKER,

*Secretary of State.*

## THE KEYSTONE MANUFACTURING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Keystone Manufacturing Company, for the purpose of manufacturing for sale and selling all kinds of hardware specialties, in wood or metal or both, patented or otherwise, and buying real estate, erecting buildings, buying, building and using machinery necessary for the purpose of manufacturing said articles, with the right also to purchase any patents necessary to the business; which corporation shall keep its principal office or place of business at Philadelphia, in the county of Philadelphia, state of Pennsylvania, and is to expire on the second day of February, 1936. And for the purpose of forming the said corporation we have

subscribed the sum of one hundred thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of ten thousand dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of five dollars each, which are held by the under signed respectively, as follows, that is to say:

By Edwin Baltzley, Philadelphia, Pa., 4,000 shares;

By Thomas Y. de Normandie, Philadelphia, Pa., 4,000 shares;

By William A. McCowen, Philadelphia, Pa., 4,000 shares;

By Robert Patterson, Philadelphia, Pa., 4,000 shares;

By William Q. Moore, Philadelphia, Pa., 4,000 shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this second day of February, A. D. 1886.

EDWIN BALTZLEY,  
THOMAS Y. DE NORMANDIE,  
WM. A. MCCOWEN,  
ROBERT PATTERSON,  
WM. Q. MOORE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the second day of February, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this fifth day of February, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### RAILROAD CONSTRUCTION COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Railroad Construction Company, for the purpose of doing general contract work, such as the construction of railroads, bridges, water and gas works and other works of public or private improvement in the State of West Virginia and elsewhere and for the purpose of manufacturing, selling and dealing in materials for use in such construction by the said corporation and others. Which corporation shall keep its principal office or place of business at the city of Philadelphia, in the county of Philadelphia, and state of Pennsylvania, and is to expire on the first day of January, A. D. 1935.

And for the purpose of forming the said corporation we have subscribed the sum of one thousand (\$1,000) dollars to the capital thereof and have paid in on said subscriptions the sum of one thousand (\$1,000) dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time to (\$1,000,000) one million dollars in all.

The capital so subscribed is divided into shares of (\$100) one hundred dollars each, which are held by the undersigned respectively as follows, that is to say :

By Rich H. Morris, Phila., Pa., two shares.

By Martin Van Hulinger, Philadelphia, Pa, two shares.

By Geo. W. Edwards, Philadelphia, Pa, three shares.

By D. Dodson, Philadelphia, Pa., one share.

By Wm. Stiles, Camden, N. J., two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this second day of February, 1886.

RICH H. MORRIS.

MARTIN VAN HULINGER.

GEORGE W. EDWARD.

D. DODSON.

WM. STILES.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty-five a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this sixth day of February, eighteen hundred and eighty-six.

HENRY S. WALKER,

*Secretary of State.*

### KARICOFE CORN HARVESTING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Karicofe Corn Harvesting Company," for the purpose of manufacturing, repairing, selling and controlling corn harvesters, to sell the right to manufacture and sell the patent corn harvester, invented by William H. Karicofe, of Jefferson county, West Virginia, and to do all things necessary to place said corn harvesters upon the market. Which corporation shall keep its principal office or place of business at Martinsburg, in the county of Berkeley, and state of West Virginia, and is to expire on the first day

of January, 1935. And for the purpose of forming the said corporation, we have subscribed the sum of four thousand eight hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty four hundred dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Perry A. Rohrbaugh, Martinsburg, W. Va., eight shares;  
 By George E. Gaver, Martinsburg, W. Va., eight shares;  
 By Robert D. Hughes, Martinsburg, W. Va., eight shares;  
 By Daniel W. Shaffer, Martinsburg, W. Va., eight shares;  
 By J. Newton Thatcher, Martinsburg, W. Va., eight shares;  
 By Charles J. F. Thatcher, Martinsburg, W. Va., eight shares.  
 And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this first day of February, 1886.

PERRY A. ROHRBAUGH,  
 GEORGE E. GAVER,  
 ROBT. D. HUGHES,  
 DANIEL W. SHAFFER,  
 J. NEWTON THATCHER,  
 CHARLES J. F. THATCHER.

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this sixth day of February, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### McLAUGHLIN TOWBOAT COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of McLaughlin Towboat Company, for the purpose of towing boats, barges and other water craft, and transporting freight on the Mississippi and Ohio rivers and their tributaries, which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio, in the state of West Virginia, and is to expire on the first day of January, A. D. one thousand nine hundred and

thirty-six. And for the purpose of forming the said corporation we have subscribed the sum of three hundred dollars, and have paid in on said subscriptions the sum of thirty dollars, and desire the privilege of increasing the said capital, by sales of additional shares from time to time, to twenty thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows:

By David A. Davis, Bellaire, Ohio, one share;

By Mary A. Davis, Bellaire, Ohio, one share;

By Andrew White, Wheeling, W. Va., one share;

By Isaac T. Carpenter, Wheeling, W. Va., one share;

By W. J. W. Cowden, Wheeling, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 6th day of February, A. D. one thousand eight hundred and eighty-six.

DAVID A. DAVIS,  
ANDREW WHITE,  
ISAAC T. CARPENTER,  
MARY A. DAVIS,  
By D. A. DAVIS,  
*Attorney in fact.*  
W. J. W. COWDEN.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this eighth day of February, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE FARGO OIL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Fargo Oil Company for the purpose of boring for and producing oil, and constructing and laying down pipe lines for the conveyance of the same, for the purpose of buying, shipping and vending oil and refining the same and the manufacture of the products of the same; for the purpose of letting and leasing the territory of the company to other operators, and for leasing and

holding land for the purposes of said company in mining and boring for oil, manufacturing and conveying away the same, for the carrying on the business of general merchandise at wholesale and retail and generally for doing all things that are legitimate and proper for an oil company to perform.

Which corporation shall keep its principal office or place of business at Petroleum, in the county of Ritchie, state of West Virginia, and is to expire on the fourth day of February, 1936, and for the purpose of forming the said corporation we have subscribed the sum of nine thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of nine thousand dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By J. E. Carl, of Parkersburg, W. Va., 27 shares;

By C. S. Despard, of Parkersburg, W. Va., 27 shares;

By M. Kelby, of Parkersburg, W. Va., 34 shares;

By W. H. Kelby, of Parkersburg, W. Va., 1 share;

By P. H. Kelby, of Parkersburg, W. Va., 1 share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 4th day of February, 1886.

M. KELBY.

J. E. CARL,

C. S. DESPARD,

W. H. KELBY,

P. H. KELBY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the 4th day of February, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G.S.] state, at the city of Charleston, this ninth day of February, eighteen hundred and eighty-six.

HENRY S. WALKER,

*Secretary of State.*

---

## THE KANAWHA COMPANY.

### DISCOLUTION.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that H. D. Whitcomb, president of the Kanawha Company, a corporation created, formed and organized under the laws of the State of West Virginia, has certified to me

under his signature and the common seal of said company, that at a meeting of the stockholders of said company, held at the law office of Knight & Couch, in the city of Charleston, W. Va., on the 11th day of February, 1886, at which meeting 1,993 of the 2,000 shares of the stock of said company was represented, the following resolution was unanimously adopted :

*Resolved*, That this company discontinue business and that the board of directors divide the assets of the company that may remain after paying all debts and liabilities of the corporation, and that the president of this company certify under his hand and the common seal of the company a copy of this resolution to the secretary of state of the state of West Virginia.

Wherefore, I do declare said corporation to be dissolved as proposed in said resolution, from and after this date.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 18th day of February, 1886.

HENRY S. WALKER,  
*Secretary of State.*

## HOWARD COAL AND COKE COMPANY OF WEST VIRGINIA.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Howard Coal and Coke Company of West Virginia for the purpose of mining, raising, producing, selling and shipping coal, and for the further purpose of manufacturing and vending coke in Harrison county, in the state of West Virginia. Which corporation shall keep its principal office or place of business at the city of Baltimore, in the state of Maryland, and is to expire on the first day of January, in the year one thousand nine hundred and twenty-six. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the said sum of five hundred dollars, the whole amount thereof, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to five hundred thousand dollars in all. The capital so subscribed is divided into shares of five dollars, which are held by the undersigned respectively as follows, that is to say:

By George J. Appold, of said city of Baltimore, twenty shares ;  
By Jacob W. Slagle, of said city of Baltimore, twenty shares ;

By William H. Crawford, of said city of Baltimore, twenty shares;

By Jacob H. Taylor, of said city of Baltimore, twenty shares;

By William C. West, of said city of Baltimore, twenty shares.

And the capital to be hereafter sold is to be divided into shares of the like amount, to-wit: five dollars each.

Given under our hands this seventeenth day of February, in the year one thousand eight hundred and eighty-six.

GEORGE J. APPOLD,  
JACOB W. SLAGLE,  
WM. H. CRAWFORD,  
JACOB H. TAYLOR,  
WILLIAM C. WEST.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nine'een hundred and twenty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this nineteenth day of February, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## ÆTNA FIRE AND MARINE INSURANCE COMPANY.

### EXTENSION OF CHARTER.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that William B. Simpson, president of the Ætna Fire and Marine Insurance Company of Wheeling, W. Va., a corporation created, formed and organized under the laws of the state of West Virginia, has certified to me under his signature and the common seal of said company, that at a special meeting of the stockholders of said company, held at the office of said company, after due notice of the purpose of such meeting, on the 12th day of February, 1886, at which meeting seven hundred and thirty-seven (737) of the one thousand (1,000) shares of the stock of said company were duly represented, the following resolution was unanimously adopted:

*Resolved*, That the time of the continuance of the existence of the Ætna Fire and Marine Insurance Company of Wheeling, West Virginia, be and the same is hereby extended for twenty-five (25) years from and after the 24th day of February, 1886; and that this resolution be certified to the secretary of state, for the purpose of obtaining a certificate, in the manner prescribed by law, to extend the existence of said corporation.



Wherefore, I do declare the extension of the charter of the *Ætina Fire and Marine Insurance Company of Wheeling, West Virginia*, for a period of twenty-five years, as proposed in the foregoing resolution, to be authorized by law, and that said charter shall continue and be in force until the twenty-fourth day of February, nineteen hundred and eleven.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twentieth day of February, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### THE NORTH, SOUTH, EAST AND WEST ADVERTISING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The North, South, East and West Advertising Company" for the purpose of engaging in and carrying on a general advertising business by the circulation and distribution and the display of cards, signs, posters, dodgers, hand bills, programmes, banners and flags, to be placed in and on railroad cars, street cars, steamboats, cabs, hacks, omnibusses, stages, and any and all kinds of conveyances used for passengers or any other purpose. For the display of movable or changable signs, cards, pictures, designs, mottoes, etc., operated by clockwork, electricity or any other power, using, placing and displaying the same in depots, hotels, halls and other public places. For the making of contracts with individuals and corporations for the exclusive use of their property and the purchase, control and use of individual rights, leases and contracts, and having all the rights, powers and privileges and franchises incident to and granted to corporations organized by virtue of the laws of West Virginia. Which corporation shall keep its principal office or place of business at Philadelphia, in the county of Philadelphia, and the state of Pennsylvania, and is to expire on the first day of March, 1906. And for the purpose of forming the said corporation, we have subscribed the sum of fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to twenty thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Rees Welch, 19 S. 9th street, Philadelphia, one share;

By Henry A. Scott, 701 S. 10th street, Philadelphia, one share;

By John G. Williamson, 607 Chestnut street, Philadelphia, one share;

By Thomas J. Town, 529 Chestnut street, Philadelphia, one share;

By Morris H. Alberger, 125 S. 11th street, Philadelphia, one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 20th day of February, 1886.

REES WELCH,  
HENRY A. SCOTT,  
JOHN G. WILLIAMSON,  
THOMAS J. TOWN,  
MORRIS H. ALBERGER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of March, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-second day of February, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

## WEST VIRGINIA GAS, OIL AND GAS COAL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the West Virginia Gas, Oil and Gas Coal Company, for the purpose of boring for, mining and producing natural gas, oil and gas coal, buying and selling oil, gas and gas coal, and constructing and maintaining lines of tubing and piping for the transportation of oil and natural gas for the public generally, as well as said corporation; and to purchase, lease and hold land and mining rights, and to do and perform all acts and things necessary and proper for the carrying on the business of developing oil, natural gas and coal territory. Which corporation shall keep its principal office and place of business at Mannington, in the county of Marion, state of West Virginia, and is to expire on the first day of January, 1936. And for the purpose of forming the said corporation we have subscribed the sum of one thousand dollars, and have paid in on said subscription the sum of one hundred dollars, and desire the privilege of increasing the said capital stock by the

sale of additional shares from time to time to one million dollars, in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say :

By John W. Mason, of Grafton, W. Va., one share ;

By John T. McGraw, of Grafton, W. Va., one share ;

By Charles E. Wells, of Glovers Gap, W. Va., one share ;

By J. Ed. Watson, of Fairmont, W. Va., one share ;

By William A. Ohley, of Fairmont, W. Va., one share ;

By John Blackshere, of Marion Co., W. Va., one share ;

By Frank Burt, of Marion Co., W. Va., one share ;

By Alfred Hood, of Marion Co., W. Va., one share ;

By Columbus Sehon, of Mason Co., W. Va., one share ;

By David H. Leonard, of Wood Co., W. Va., one share ;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 6th day of February, 1886.

JNO. T. MCGRAW,

ALFRED HOOD,

JOHN W. MASON,

COLUMBUS SEHON,

JOHN BLACKSHERE,

DAVID-H. LEONARD,

WM. A. OHLEY,

J. ED. WATSON,

CHAS. E. WELLS,

FRANK BURT.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this first day of March, 1886.

HENRY S. WALKER,

*Secretary of State.*

### MASONIC REAL ESTATE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of Masonic Real Estate Company, for the purpose of acquiring title to and holding a lot or parcel of land in the town of Hinton, county of Summers, and state of West Virginia, and erecting buildings to rent or lease ; which corporation shall keep its prin-

cipal office or place of business at Hinton, in the county of Summers, and state of West Virginia, and is to expire on the nineteenth day of February, eighteen hundred and ninety-six. And for the purpose of forming said corporation, we have subscribed the sum of three thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of six hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to ten thousand dollars in all. The capital so subscribed is divided into shares of twenty dollars each, which are held by the undersigned respectively, as follows, that is to say :

By A. T. Maupin, Hinton, W. Va., twenty-five shares;  
 By J. L. McCreery, Hinton, W. Va., twenty-five shares;  
 By C. W. East, Hinton, W. Va., twenty-five shares;  
 By P. K. Litsinger, Hinton, W. Va., fifteen shares;  
 By C. D. Ogg, Hinton, W. Va., ten shares;  
 By T. G. Swats, Hinton, W. Va., five shares;  
 By J. P. Bingley, Hinton, W. Va., five shares;  
 By W. P. Phillips, Hinton, W. Va., five shares;  
 By B. L. Hoge, Hinton, W. Va., five shares;  
 By W. T. Crawford, Hinton, W. Va., five shares;  
 By W. R. Thompson, Hinton, W. Va., five shares;  
 By E. H. Peck, Hinton, W. Va., five shares;  
 By J. A. McCorkle, Hinton, W. Va., five shares;  
 By W. B. Lewis, Hinton, W. Va., five shares;  
 By James Prince, Hinton, W. Va., five shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 19th day of February, 1886.

A. T. MAUPIN,  
 J. L. MCCREERY,  
 C. W. EAST,  
 P. K. LITSINGER,  
 O. D. OGG,  
 T. G. SWATS,  
 J. P. BINGLEY,  
 W. P. PHILLIPS,  
 B. L. HOGE,  
 W. T. CRAWFORD,  
 W. R. THOMPSON,  
 E. H. PECK,  
 J. A. MCCORKLE,  
 W. B. LEWIS,  
 JAMES PRINCE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the nineteenth day of February, eighteen hundred and ninety-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state at the city of Charleston, this first day of March, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### NAIL CITY OIL AND GAS COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Nail City Oil and Gas Company, for the purpose of boring for carbon oil or petroleum, and also for the purpose of boring for and transporting natural gas by means of pipes or otherwise, and selling the same to or supplying it to others for lighting or heating purposes, which corporation shall keep its principal office or place of business in the city of Wheeling, in the county of Ohio, and state of West Virginia, and is to expire on the 1st day of January, A. D. 1936. And for the purpose of forming said corporation we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

G. O. Smith, one share;  
T. E. Olmstead, one share;  
W. T. Burt, one share;  
Henry F. Jones, one share;  
W. J. W. Couden, one share.

All of the city of Wheeling, county of Ohio, and State of West Virginia.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 27th day of February, 1886.

G. O. SMITH,  
T. E. OLMSTEAD,  
W. T. BURT,  
HENRY F. JONES,  
W. J. W. COUDEN.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the 1st day of January nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] State, at the city of Charleston, this 1st day of March, 1886.

HENRY S. WALKER,  
*Secretary of State.*

### GREENWOOD CEMETERY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that Andrew J. Sweeney, the president of Greenwood Cemetery, a corporation created, formed and organized under the laws of the said state, has this day certified to me under his signature and the common seal of said corporation that at a meeting of the stockholders thereof held pursuant to law, at the Exchange Bank in the city of Wheeling, on the 16th day of February, 1886, wherein was represented one hundred and eighty shares of stock, the whole stock being three hundred shares, all of said stock present voting in the affirmative, the following resolution was adopted:

*Resolved*, The time of the continuance of the existence of Greenwood Cemetery be and the same is hereby extended for fifty (50) years from and after the 3d day of March, 1886, and that this resolution be certified to the secretary of state for the purpose of obtaining a certificate in the manner prescribed by law, to extend the existence of said corporation

Wherefore, I do declare said extension to be authorized by law, and that the said charter of Greenwood Cemetery which expires by limitation on the 3d day of March, 1886, is hereby extended until the 3d day of March, 1936.

[G. S.] State at the city of Charleston, this first day of March, 1886.

HENRY S. WALKER,  
*Secretary of State.*

### HUNTINGTON PRINTING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that R. J. Simpson, President of the Huntington Printing Company, a corporation created under the laws of this state, has certified to me in the manner prescribed by law, that at a meeting of the stockholders of said company, held in its office at Huntington, West Virginia, on the 24th day of February, 1886, at which a majority of the capital stock of said company was represented, the following resolution was adopted:

*Resolved*, That the business of said Huntington Printing Com-

pany, a corporation, &c., be and is hereby discontinued from and after this date."

Wherefore, I do declare said corporation dissolved as directed in said resolution.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this second day of March, 1886.

HENRY S. WALKER,  
*Secretary of State.*

---

### U. S. LUBRIC OIL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "U. S. Lubric Oil Company," for the purpose of mining, drilling, excavating and boring for oil, gas, other mineral volatile substances and matters; to manufacture paraffine wax, refine, reduce, buy, sell, transport and convey oil, gas, water, minerals, volatile substances and matters. To lay and use pipe, pipes, conduits, and make and use other methods for conveying, carrying and transporting oil, gas, water, minerals, volatile substances and matters for heating, illuminating and other purposes. To lay out town, towns, at or near place or places of operations and to sell lot or lots in the same. To do any further, and all things and matters requisite and necessary to be done to produce, buy, sell, manufacture, transport and convey oil, gas, wax, water, minerals, matters and volatile substances that may be done in accordance with law; to have a corporate seal. Operations and business to be done in the states of West Virginia, Pennsylvania and Ohio in the United States. Which corporation shall keep its principal office or place of business at Pittsburg, in the county of Alleghany and state of Pennsylvania, and is to expire on the twenty-fifth day of February, A. D., 1936. And for the purpose of forming the said corporation, we have subscribed the sum of sixty-five thousand [\$65,000] dollars to the capital thereof and have paid in on said subscriptions the sum of six thousand five hundred [\$6,500.00] dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time to two hundred and fifty thousand dollars in all.

The capital so subscribed is divided into shares of [1,300 shares] of fifty [\$50.00] dollars each, which are held by the undersigned respectively, as follows, that is to say:

- By S. M. Boyd, Alleghany City, Pa., 630 shares;
- By H. H. Boyd, Alleghany City, Pa., 10 shares;
- By John A. Snee, West Elizabeth, Pa., 10 shares
- By A. F. Denniston, Butler, Pa., 325 shares;
- By C. T. Russell, Alleghany City, 325 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 25th day of February, 1886.

S. M. BOYD,  
JOHN A. SNEE,  
H. H. BOYD,  
A. F. DENNISTON,  
C. T. RUSSELL.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-fifth day of February, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this fifth day of March, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE TYGARTS VALLEY BANK.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Tygarts Valley Bank, for the purpose of doing a banking business of discount and deposit, which shall keep its principal office or place of business at Philippi, in the county of Barbour, state of West Virginia, and is to expire on the second day of April, nineteen hundred and six. And for the purpose of forming the said corporation, we have subscribed the sum of thirty-five thousand dollars to the capital stock thereof, and have paid in on said subscription the sum of seven thousand dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one hundred and fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Thomas E. Davis, Grafton, W. Va., forty shares;  
By George M. Whitescarver, Grafton, W. Va., forty shares;  
By Francis M. Durbin, Grafton, W. Va., twenty shares;  
By Charles M. Bishop, Kingwood, W. Va., forty shares;  
By J. C. McGrew, Kingwood, W. Va., twenty shares;  
By Francis Heermans, Kingwood, W. Va., twenty shares;  
By Wm. G. Brown, Kingwood, W. Va., twenty shares;  
By James W. Parks, Kingwood, W. Va., twenty shares;  
By Jos. N. B. Crim, Philippi, W. Va., fifty shares;



By James E. Heatherly, Philippi, W. Va., twenty shares;  
 By Luther C. Elliott, Philippi, W. Va., twenty shares;  
 By George W. Gall, Jr., Philippi, W. Va., twenty shares,  
 By James E. Hall, Philippi, W. Va., ten shares;  
 By J. W. Hamilton, Grafton, W. Va., ten shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 1st day of March, 1886.

THOMAS E. DAVIS,  
 GEORGE M. WHITESCARVER,  
 FRANCIS M. DURBIN,  
 C. M. BISHOP,  
 JAMES C. MCGREW,  
 FRANCIS HEERMANS,  
 WM. G. BROWN,  
 J. W. PARKS,  
 J. N. B. CRIM,  
 J. E. HEATHERLY,  
 L. C. ELLIOTT,  
 G. W. GALL, JR.,  
 JAMES E. HALL,  
 J. W. HAMILTON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the 2nd day of April, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 6th day of March, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE NATURAL GAS COMPANY OF GALLIPOLIS, OHIO.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Natural Gas Company of Gallipolis, Ohio, for the purpose of developing and utilizing natural gas in and about the city of Gallipolis, and to mine and develop such gas or oil or salt water or other material, and to develop, supply and use the the same, and supply said city and vicinity and inhabitants thereof with such gas or oil for the purposes of heat and light, or such other material as may be discovered and developed for all purposes for which

the same may be used. Which corporation shall keep its principal office or place of business at Gallipolis, in the county of Gallia and state of Ohio, and is to expire on 4th day of March, 1906. And for the purpose of forming the said corporation we have subscribed the sum of seven hundred and sixty dollars to the capital thereof and have paid in on said subscriptions the sum of seventy-six dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to four thousand dollars in all.

The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively as follows, that is to say :

By B. F. Enos, Gallipolis, Ohio, twenty [20] shares ;

By Jno. C. Hutsinpiller, Gallipolis, Ohio, twenty [20] shares ;

By John Dages, Gallipolis, Ohio, ten [10] shares ;

By A. Henking, Gallipolis, Ohio, ten [10] shares ;

By Chas. F. Stockhoff, Gallipolis, Ohio, ten [10] shares ;

By John M. Alexander, Gallipolis, Ohio, five [5] shares ;

By W. G. Brading, Gallipolis, Ohio, one [1] share ;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 6th day of March, 1886.

JNO. C. HUTSINPILLER.

B. T. ENOS.

JOHN DAGES.

A. HENKING.

CHAS. F. STOCKHOFF.

JOHN M. ALEXANDER.

W. G. BRADING.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the fourth day of March, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this eighth day of March, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE COMMERCIAL ENSILAGE COMPANY.

I, Henry S. Walker, secretary of state, of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of

the Commercial Ensilage Company, for the purpose of manufacturing, handling, buying and selling commercial ensilage, brewers, grains and other articles used for food, put up in barrels or other portable vessels, and doing all things necessary or incident to a general commercial ensilage business; to purchase and hold patents relating to the business. The purposes of the corporation shall include the business of selling patent rights or licenses to manufacture and sell portable ensilage, brewers' grains and other articles used for food, put up in barrels or other portable packages under patents No. 207,266, 312,967 and 312,968. Also the manufacture and sale or leasing of the barrels and machinery covered by the said patents, and the sale of licenses to manufacture or sell such barrels or machinery, and also the manufacture and sale of portable ensilage, and also the packing of brewers' grains and other articles used for food, put up under the said patents or any or either of them. Which corporation shall keep its principal office or place of business at Washington, District of Columbia, and is to expire on the first day of March, 1936. And for the purpose of forming the said corporation we have subscribed the sum of eight hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of eighty dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say :

By George B. Loring, 1521, K. street, Washington, two shares;  
By George W. Knox, 803, K. street, N. W., Washington, D. C., two shares;

By Jas. H. Blodgett, 600, 6th street, N. W., Washington, D. C., one share;

By D. G. Dixon, 623, E. street, N. W., Washington, D. C., two shares;

By Aug. C. Carey, 621, E. street, N. W., Washington, D. C., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this fifth day of March, 1886. .

GEO. B. LORING,  
GEO. W. KNOX,  
JAMES H. BLODGETT,  
D. G. DIXON,  
AUG. C. CAREY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of March, nineteen hundred and thirty six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said

[G. S.] state, at the city of Charleston, this eleventh day of March, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### WESTON BUILDING ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Weston Building Association for the purpose of raising money to be distributed among the members of such corporation, and by such members used in buying lands or houses or in building or repairing houses, or for paying and liquidating liens on houses or other real estate, which corporation shall keep its principal office or place of business at Weston, in the county of Lewis, and state of West Virginia, and is to expire on the 1st day of January, 1900; and for the purpose of forming the said corporation, we have subscribed the sum of six hundred and fifty dollars to the capital thereof, and have paid in on said subscription the sum of sixty five dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred and thirty dollars each, which were held by the undersigned, respectively, as follows, that is to say:

By W. G. Bennett, one share;  
By N. B. Newlon, one share;  
By Jacob Koblegard, one share;  
By E. M. Vandervort, one share;  
By J. S. Lewis, one share.

All of Weston, Lewis county, West Virginia; and the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this seventeenth day of February, eighteen hundred and eighty six.

W. G. BENNETT,  
N. B. NEWLON,  
JACOB KOBLEGARD,  
E. M. VANDERVORT,  
J. S. LEWIS.

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred (1900), a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this 12th day of March, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### NATIONAL LAW AND TRUST COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of National Law and Trust Company, for the purpose of the transaction of all legal business before any of the courts of law and equity, holden in the United States of America, and foreign countries; the prosecution of claims before any of the executive departments of the government of the United States; the procuring of patents in the United States and foreign countries; the negotiation of loans; the investment of money; to act as agents or attorneys in fact in all the transaction of all business in which an agent or attorney in fact may be lawfully appointed; and to act as trustees in public and private trusts of every character; and for the transaction of all other business for which a firm or co-partnership of lawyers, counsellors or attorneys may be lawfully formed. Which corporation shall keep its principal office or place of business in Washington city, in the district of Columbia, and is to expire on the first day of January, A. D. 1936. And for the purpose of forming said corporation we have subscribed the sum of one hundred thousand dollars (\$100,000.00) to the capital stock thereof, and have paid in on said subscription the sum of ten thousand dollars (\$10,000.00). The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

By James W. Denver, of Wilmington, Ohio, one hundred shares;

By James Coleman, of Milwaukee, Wis., one hundred shares;

By Calvin B. Walker, of Richmond, Ind., one hundred shares;

By T. Q. Hildebrant, of Washington, D. C., one hundred shares;

By John T. Mitchell, of Washington, D. C., one hundred shares;

By Benjamin R. Catlin, of Plainfield, N. H., one hundred shares;

By Robert Morrison, of Washington, D. C., four hundred shares.

Given under our hands and seals, this 6th day of March, A. D., 1886.

J. W. DENVER,  
 JAMES COLEMAN,  
 CALVIN B. WALKER,  
 T. Q. HILDEBRANT,  
 JOHN T. MITCHELL,  
 BENJAMIN R. CATLIN,  
 ROBERT MORRISON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 13th day of March, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### THE HOWELL TORPEDO COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Howell Torpedo Company, for the purpose of purchasing and selling United States and Foreign Patent Rights and for the purpose of manufacturing and selling torpedoes and munitions of war. Which corporation shall keep its principal office or place of business at the city of Washington in the District of Columbia and is to expire on the 4th of March, A. D. 1936. And for the purpose of forming the said corporation, we have subscribed the sum of fifteen hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred and fifty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to one hundred and eighty thousand dollars in all. The capital so subscribed is divided into shares of fifteen dollars each, which are held by the undersigned respectively as follows, that is to say:

By Frederick H. Payne, Washington, D. C., thirty-five shares;

By John A. Howell, Washington, D. C., thirty-five shares;

By Frances T. Bowler, Washington, D. C., ten shares;

By Woodbury Blair, Montgomery county, Maryland ten shares;

By Henry Gustave Rogers, Washington, D. C., ten shares;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 12th day of March, 1886.

FERDERICK H. PAYNE,  
JOHN A. HOWELL,  
FRANCIS T. BOWLER,  
WOODBURY BLAIR,  
HENRY GUSTAVE ROGERS.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the fourth day of March, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this fifteenth day of March, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### UPSON'S OIL AND SOAP COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of Upson's Oil and Soap Company for the purpose of mining, producing, buying, refining, manufacturing and selling petroleum oil and preparing the same and its products for market, and also, to manufacture and deal in the "New French Process Soap" and other soaps. to buy, lease, rent and hold real estate necessary to carry on said business, and to do and to transact all business necessary and proper for the purposes aforesaid. Which corporation shall keep its principal office or place of business at the city of Parkersburg, Wood county, state of West Virginia, and is to expire on the 18th day of March, nineteen hundred and six. And for the purpose of forming the said corporation we have subscribed the sum of ten thousand dollars, in shares of one hundred dollars each, and have paid in on said subscription the sum of one thousand dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to fifty thousand dollars in all. The capital so subscribed is divided into one hundred shares of one hundred dollars each, which are held by the undersigned as follows, respectively, that is to say :

N. L. Upson, of Parkersburg, W. Va., eighty-seven shares ;  
L. D. Upson, of Parkersburg, W. Va., one share ;  
C. N. Upson, of Parkersburg, W. Va., ten shares ;  
D. H. Leonard, of Parkersburg, W. Va., one share ;  
Emanuel Jones, of Parkersburg, W. Va., one share ;

And the capital to be hereafter sold is to be divided into shares shares of like amount.

Given under our hands this 18th day of March, 1886.

C. N. UPSON.  
N. L. UPSON.  
D. H. LEONARD.  
L. D. UPSON.  
EMANUEL JONES.

Wherefore, the corporators named in said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the eighteenth day of March, nineteen hundred and six a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-second day of March, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### THE PNEUMATIC POWER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a company by the name of The Pneumatic Power Company, for the purpose of making, using and selling gun loaders for ordnance worked by air or other pressure, and for the purpose of buying, owning and holding any inventions and patent rights now or hereafter granted by the government of the United States or any other government for any purpose, also for the purpose of selling the products of said patents or inventions; also for the purpose of manufacturing in all modes and for all purposes; also for the purpose of using and contracting for the use of fluid pressure or any other power; also for the purpose of entering into contracts in connection with its business in the state of West Virginia, or anywhere outside of said state, and for the purpose of operating heavy ordnance, turrets for monitors and war ships, turrets for forts, disappearing carriages for forts and ships, street or other railways, or driving any carriages or vehicles by any motive power whatsoever, at any place, for the purpose of transmitting speech or signals by fluid pressure or otherwise; also for the purpose of making, buying and selling improvements of any kind in ordnance and all other munitions of war for use by the army or navy; also for the purpose of buying, making and selling anything now in use or to be used by or in the army or navy; also for the construction of



ships and everything pertaining thereto; also for the purpose of selling any patents belonging to said company or of licensing other persons or corporations to use the same. Which corporation shall keep its principal office or place of business at Washington, in the District of Columbia, and is to expire on the first day of January, 1925. And for the purpose of forming the said corporation we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares, from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Eppa Hunton, Warrenton, Va., thirteen shares;

By Jeff. Chandler, Washington, D. C., twelve shares;

By Charles E. Creecy, administrator of James A. Powlett, deceased, thirty-seven shares;

By Charles E. Creecy, in his own right, Washington, D. C., nineteen shares;

By Edward W. Creecy, Washington, D. C., nineteen shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 25th day of January, 1884.

EPPA HUNTON,  
JEFF. CHANDLER,  
CHARLES E. CREECY,  
*Administrator of Jas. A. Powlett, dec'd.*  
CHARLES E. CREECY,  
*in his own right,*  
EDWARD W. CREECY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, nineteen hundred and twenty-five, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this twenty-fourth day of March, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE BALTIMORE HEAT AND POWER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of

The Baltimore Heat and Power Company, for the purpose of transporting heat and power by means of superheated water and steam from a central depot, through proper pipes laid under the streets, in order for compensation and gain, to heat houses, to furnish power for manufacturing, and commercial purposes, to run elevators, to run dynamos, to cook, to propel street cars, to extinguish fire in buildings, and to do any and all things for which, by this process, they may be available under the various patents issued by the United States for inventions by William E. Prall:

And, further, to manufacture, sell and put in place, all such articles as may be necessary for the adaptation and utilization of superheated water and steam to and for the purposes for which they may be used.

Which corporation shall keep its principal office or place of business at Washington, in the District of Columbia, and is to expire on the 22nd day of March, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of five hundred dollars; and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one million dollars in all.

The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned, respectively, as follows that is to say:

By W. H. Hocke, Washington, D. C., 100 shares;  
 By Sam'l M. Bryan, Washington, D. C., 100 shares;  
 By T. W. Maulton, Washington, D. C., 50 shares;  
 By Chas. G. Beelie, Washington, D. C., 50 shares;  
 By H. W. Upperman, Washington, D. C., 50 shares;  
 By W. E. Prall, Washington, D. C., 50 shares;  
 By O. C. Green, Washington D. C., 100 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this 23d day of March, 1886.

W. H. HOCKE,  
 SAM'L M. BRYAN,  
 T. W. MAULTON,  
 CHAS. G. BEELIE,  
 H. W. UPPERMAN,  
 W. E. PRALL,  
 O. C. GREEN.

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-second day of March, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-sixth day of March, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE WHEELING NATURAL GAS COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Wheeling Natural Gas Company," for the purpose of (within the state of West Virginia, Ohio and Pennsylvania), mining, boring, digging for, or otherwise obtaining from the earth, petroleum, rock or carbon oils, and natural gas, and manufacturing, buying, selling and transporting the same in the crude and in the refined states; for the purpose of constructing and maintaining lines of tubing and piping for the transportation of such oils and gas, or either of them, for the public generally as well as for the use of said corporation; for the purpose of transporting such oil and gas or either of them, by means of such pipes or otherwise, and selling and supply the same to others; and generally for the purpose of doing such acts, and carrying on such business as pertains to such works and improvements; which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio, and state of West Virginia, and is to expire on the twenty third day of March, A. D., 1936. And for the purpose of forming the said corporation, we have subscribed the sum of two hundred and fifty dollars (\$250) to the capital thereof, and have paid in on said subscriptions the sum of twenty five (\$25) dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one million (\$1,000,000) dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say.

C. W. Brockunier, Bridgeport, Ohio, one share;  
 N. E. Whitaker, Wheeling, W. Va., one share;  
 C. R. Hubbard, Wheeling, W. Va., one share;  
 J. C. Brady, Wheeling, W. Va., one share;  
 William Flinn, Pittsburgh, Pa., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 23d day of March, 1886.

C. W. BROCKUNIER.  
 N. E. WHITAKER,  
 C. R. HUBBARD,  
 J. C. BRADY,  
 WILLIAM FLYNN.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-third day of March, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said

[G. S.] state, at the city of Charleston, this 26th day of March, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE BARBER ASPHALT PAVING COMPANY.

### INCREASE OF CAPITAL STOCK.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that A. L. Barber, President of the Barber Asphalt Paving Company, a corporation created under the laws of the state of West Virginia, has this day certified to me under his signature that: The stockholders of the said company met. after due notice, at the office of said company in Washington, D. C., at 11 A. M. January 20th, 1886. There being present, A. L. Barber, J. J. Albright, Jr., James Archibald, E. B. Warren, F. V. Green and D. O. Wickham, owning thirty-one thirty-seconds of the capital stock of the company. It was moved and unanimously adopted, that the capital stock of the company shall be increased \$180,000, so that the total capital shall be \$500,000, in 5,000 shares of \$100 each.

Wherefore, I do declare the increase of capital stock as proposed by said resolution to be authorized by law.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this fifth day of April, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## PIEDMONT & CUMBERLAND RAILROAD COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation, duly signed and acknowledged, have this day been recorded in my office, which articles of incorporation are in the words and figures following:

We, whose names are hereto subscribed, desiring to become a corporation for the purpose of constructing and operating a railroad in the State of West Virginia, do hereby adopt these articles of incorporation for that purpose:

First. The name of the corporation shall be the Piedmont and Cumberland Railway Company.

Second. The railroad which this corporation proposes to build will commence at or near the junction of the West Virginia Central and Pittsburgh Railway and the Baltimore and Ohio Railroad, west of and near Piedmont, in the county of Mineral, in the

state of West Virginia, thence on or near the north branch of the Potomac river, to a point in the county of Mineral, in the state of West Virginia, opposite the city of Cumberland, in the state of Maryland.

Third. The principal business office of this corporation will be at Piedmont, in the county of Mineral, in the state of West Virginia.

Fourth. This corporation shall continue perpetually.

Fifth. The capital stock of this company shall be five hundred thousand dollars, divided into shares of fifty dollars each.

Sixth. The names and places of residence of the persons forming this corporation, and the number of shares of stock subscribed by each, are as follows :

By Henry G. Davis, of the county of Mineral, in the state of West Virginia, fifty shares ;

By Stephen B. Elkins, of the city of New York, in the state of New York, fifty shares ;

By Thomas B. Davis, of the county of Mineral, in the state of West Virginia, fifty shares ;

By George W. Harrison, of the county of Mineral, in the state of West Virginia, ten shares ;

By Harry G. Buxton, of the county of Mineral, in the state of West Virginia, ten shares ;

By Edwin W. S. Moore, of the county of Marion, in the state of West Virginia, ten shares.

In witness whereof, we have hereunto set our hands and seals, this second day of April, 1856.

H. G. DAVIS,	[Seal.]
S. B. ELKINS,	[Seal.]
T. B. DAVIS,	[Seal.]
GEO. W. HARRISON,	[Seal.]
HARRY G. BUXTON,	[Seal.]
E. W. S. MOORE,	[Seal.]

Wherefore, the corporators named in said articles of incorporation and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name, for the purpose and for the length of time set forth in said articles of incorporation.

[G. S.] Given under my hand and the great seal of the said state, at the seat of government thereof, this 8th day of April, 1886.

HENRY S. WALKER,  
*Secretary of State.*

RAVENSWOOD, SPENCER AND GLENVILLE RAILWAY COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation, duly signed

and acknowledged, have this day been recorded in my office, which articles of incorporation are in the words and figures following :

We, whose names are hereto subscribed, desiring to become a corporation for the purpose of constructing and operating a railroad in the state of West Virginia, do hereby adopt these articles of incorporation for that purpose :

*First.* The name of the corporation shall be the Ravenswood, Spencer and Glenville Railway Company.

*Second.* The railroad which this corporation propose to build will commence at or near Ravenswood, in the county of Jackson, and run thence by the most practicable route to Spencer, in the county of Roane, thence through the county of Calhoun to Glenville, in the county of Gilmer, and thence to Weston, in the county of Lewis.

*Third.* The principal business office of this corporation will be at Spencer, in the county of Roane, in the state of West Virginia.

*Fourth.* This corporation shall continue perpetually.

*Fifth.* The capital stock of this company shall be \$100,000, divided into shares of \$25 each.

*Sixth.* The names and places of residence of the persons forming this corporation, and the number of shares of stock subscribed by each are as follows :

- C. L. Brown, Ravenswood, W. Va., one share ;
- R. F. Fleming, Ravenswood, W. Va., one share ;
- E. C. Smith, Ravenswood, W. Va., one share ;
- R. S. Brown, Ravenswood, W. Va., four shares ;
- John A. McIntosh, Ravenswood, W. Va., one share ;
- Benj. D. Williams, Ravenswood, W. Va., one share ;
- E. R. McGugin, Ravenswood, W. Va., one share ;
- George P. Fleming, Ravenswood, W. Va., one share ;
- C. A. Staats, Ravenswood, W. Va., one share ;
- C. C. Shank, Ravenswood, W. Va., one share ;
- R. T. Wetzel, Ravenswood, W. Va., one share ;
- Alex. R. Campbell, Ravenswood, W. Va., one share ;
- E. W. Brown, Ravenswood, W. Va., one share ;
- I. M. Adams, Ravenswood, W. Va., one share ;
- E. Wells, Ravenswood, W. Va., one share ;
- C. C. Smith, Spencer, W. Va., one share ;
- Wm. R. Goff, Spencer, W. Va., one share ;
- M. W. Kidd, Spencer, W. Va., one share ;
- A. B. Wells, Spencer, W. Va., one share ;
- David Simmons, Walnut Grove, W. Va., one share ;
- C. C. Cleovenger, Spencer, W. Va., one share ;
- G. W. Holswade, Spencer, W. Va., one share ;
- Jess Simmons, Spencer, W. Va., one share ;
- D. W. Chapman, Spencer, W. Va., one share ;
- L. D. Simmons, Spencer, W. Va., two shares ;
- P. C. Adams, Spencer, W. Va., one share ;
- J. G. Schilling, Spencer, W. Va., one share ;
- Wm. Woodyard, Spencer, W. Va., four shares ;

## CORPORATIONS.

J. M. Simmons, Spencer, W. Va., one share ;

H. F. Goff, Spencer, W. Va., one share ;

A. G. Bailey, Spencer, W. Va., one share.

Given under our hands this 25th day of March, 1886.

C. L. BROWN,  
 R. F. FLEMING,  
 E. C. SMITH,  
 R. S. BROWN,  
 JOHN A. MCINTOSH,  
 BENJ. D. WILLIAMS,  
 E. R. MCGUGIN,  
 GEO. P. FLEMING,  
 C. A. STAATS,  
 C. C. SHANK,  
 R. T. WETZEL,  
 GEO. LEONARD,  
 ALEX. R. CAMPBELL,  
 E. W. BROWN,  
 I. M. ADAMS,  
 C. C. SMITH,  
 WM. R. GOFF,  
 M. W. KIDD,  
 A. B. WELLS,  
 DAVID SIMMONS,  
 C. C. CLEAVENGER,  
 G. W. HOLSWADE,  
 JEFF SIMMONS,  
 D. W. CHAPMAN,  
 L. D. SIMMONS,  
 P. C. ADAMS,  
 J. E. SCHILLING,  
 WM. WOODYARD,  
 J. M. SIMMONS,  
 E. WELLS,  
 H. F. GOFF,  
 A. G. BAILEY.

Wherefore, the corporators named in said articles of incorporation, and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name, for the purpose and for the length of time set forth in said articles of incorporation.

[G. S.] Given under my hand and the great seal of the said state, at the seat of government thereof, this tenth day of April, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

THE PRINCETON AND INGLESIDE TELEPHONE  
COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Princeton and Ingleside Telephone Company," for the purpose of constructing, maintaining and operating a telephone line between the town of Princeton and the town of Ingleside in the county of Mercer and state of West Virginia and to and from other points in said county or in any of the counties of this state as may hereafter be determined. And to use and operate said telephone line or lines and receive and transmit messages for hire. Which corporation shall keep its principal office or place of business at Princeton in the county of Mercer and state of West Virginia and is to expire on the first day of January, 1906. And for the purpose of forming the said corporation, we have subscribed the sum of three hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of thirty-five dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to ten thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively as follows, that is to say:

By C. W. Straley, Princeton, Mercer county, W. Va, five shares;

By J. D. M. Morgan, Ingleside, Mercer county, W. Va., five shares;

By C. H. Duhring, Bramwell, Mercer county, W. Va, five shares;

By J. H. Bramwell, Bramwell, Mercer county, W. Va., five shares;

By C. H. Duhring, Jr., Bramwell, Mercer county, W. Va., five shares;

By Wm. A. French, Narrows, Giles county, Va., five shares;

By David E. Johnston, Princeton, Mercer county, W. Va., five shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 15th day of March, 1886.

C. W. STRALEY,  
C. H. DUHRING,  
J. H. BRAMWELL,  
C. H. DUHRING, JR.,  
WM. A. FRENCH,  
J. D. M. MORGAN,  
DAVID E. JOHNSTON.

Wherefore, the corporators named in the said agreement, and



who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this thirteenth day of April, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### NORTH MONTANA CATTLE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the North Montana Cattle Company, for the purpose of buying, breeding, grazing, pasturing, fattening, feeding, dealing in and selling cattle, horses and other live stock in the United States of America, British North America, or elsewhere, and for the purpose of buying, owning and selling water rights, range rights, and all other rights, franchises and privileges whatsoever; and of buying and operating farms or establishments for fattening or feeding cattle, and selling such farms or establishments when no longer needed for the business of the corporation; and for the purpose of buying, operating and selling refrigerators and refrigerator cars, and buying and operating slaughter houses, butcheries and meat markets, and selling the same when no longer needed as aforesaid; and for the purpose of acting as trustee and doing a general agency and brokerage business in buying, owning and selling and exchanging ranches, ranges and other real property; and for the purpose of investing for the benefit of this corporation all profits or surplus moneys arising in the course of its business. Which corporation shall keep its principal office or place of business either in the village of Piedmont, in the county of Mineral, in the state of West Virginia, or in the city of Helena, in the county of Lewis and Clarke, in the territory of Montana, or in the city of New York, county of New York, and state of New York, and is to expire on the 15th day of April, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of \$500.00 as the capital thereof, and have paid in on said subscriptions the sum of \$500.00, and desire the privilege of increasing the said capital stock by the sale of additional shares from time to time, to the maximum of \$1,000,000.00; and the capital stock to be hereafter sold is to be divided into shares of \$100.00 each, or stock may be issued in payment for purchases of real or personal property or debts of the corporation, at prices

satisfactory to the corporation. And the corporation may execute deeds of trust or mortgages, and issue bonds thereunder for the purchases of real or personal estate on the payment or discharge or fulfillment of this contract. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say :

By Thomas A. H. Hay, Easton, Penn., one share ;  
 By Harrison M. James, Jersey City, N. J., one share ;  
 By Thomas Moore, jr., New York city, one share ;  
 By J. W. Farquhar, New York city, one share ;  
 By Jno. A. Shawda, Jersey City, N. J., one share.

Given under our hands this 8th day of April, 1886.

THOMAS A. H. HAY,  
 HARRISON M. JAMES,  
 THOMAS MOORE, JR.,  
 J. W. FARQUHAR,  
 JNO. A. SHAWDA.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the fifteenth day of April, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 15th day of April, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### THE MASONIC TEMPLE ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Masonic Temple Association, for the purpose of purchasing, leasing and holding real estate and erecting thereon a building or buildings for the use of the order of Ancient Free and Accepted Masons, and for such other purposes as said association may direct. Which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio, and state of West Virginia, and is to expire on the 14th day of April, 1931. And for the purpose of forming the said corporation, we have subscribed the sum of two hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty-five dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to fifty thousand dollars in all. The capital so subscribed is divided

into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say:

By George Baird, Wheeling, W. Va. one share;  
 By C. H. Collier, Wheeling, W. Va., one share;  
 By J. D. McFadden, Wheeling, W. Va., one share;  
 By W. L. Bender, Wheeling, W. Va., one share;  
 By H. O. Ott, Wheeling; W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 21st day of April, 1886.

GEORGE BAIRD,  
 C. H. COLLIER,  
 J. D. McFADDEN,  
 W. L. BENDER,  
 H. O. OTT.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the fourteenth day of April, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-third day of April, 1886.

HENRY S. WALKER,  
*Secretary of State.*

### WHEELING OIL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Wheeling Oil Company, for the purpose of boring for and producing carbon or petroleum oil, natural gas or other volatile substances, transporting the same by means of pipes or otherwise and selling the same to or supplying them to others, and doing and transacting all business necessary and proper for the purposes aforesaid; which corporation shall keep its principal office or place of business in the city of Wheeling, county of Ohio and state of West Virginia, and is to expire on the first day of April, A. D., nineteen hundred and thirty-six. And for the purpose of forming the said corporation, we have subscribed the sum of nine thousand five hundred dollars, and have paid in on said subscriptions the sum of five thousand seven hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows:

C. P. Brown, 20 shares;  
 E. L. Rose, 34 shares;  
 Hullahen Quarrier, 6 shares;  
 T. C. Moffat, 5 shares;  
 George Wise, 10 shares;  
 J. F. Paull, 5 shares;  
 James Crangle, 10 shares;  
 W. R. Donaldson, 5 shares.

All of the city of Wheeling, Ohio county, West Virginia.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this twenty-seventh day of April, A. D., eighteen hundred and eighty-six.

C. P. BROWN,  
 E. L. ROSE,  
 HULLIHEN QUARRIER.  
 T. C. MOFFAT,  
 GEO. WISE,  
 J. F. PAULL  
 JAMES CRANGLE,  
 W. R. DONALDSON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of April, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 3rd day of May, 1886.

HENRY S. WALKER,  
*Secretary of State.*

---

### GLOBE BUILDING ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Globe Building Association," for the purpose of raising money to be distributed among its members and by such members used in buying lands or houses, or in building or repairing houses, or in paying or liquidating liens on houses or other real estate; which corporation shall keep its principal office or place of business in the city of Wheeling, in the county of Ohio, state of West Virginia, and is

to expire on the first day of May, 1906. And for the purpose of forming said corporation, we have subscribed the sum of fifteen hundred dollars to the capital thereof, and have paid in on said subscription the sum of one hundred and fifty dollars, and desire the privilege of increasing the said capital by the sale of additional share; from time to time to nine hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred and fifty dollars each, which are held by the undersigned, respectively, as follows:

Thomas O. Brien, one share;  
 C. J. Rawling, one share;  
 James McAdams, one share;  
 W. H. Haller, one share;  
 John J. Bayha, one share;  
 Geo. G. Hannan, one share;  
 N. W. Beck, one share;  
 J. E. Hughes, one share;  
 H. C. Bayha, one share;  
 Geo. Wm. Merchant, one share;

all of the city of Wheeling, Ohio county, West Va.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this first day of May, eighteen hundred and eighty-six.

THOMAS O. BRIEN,  
 C. J. RAWLING,  
 JAMES McADAMS,  
 W. H. HALLER,  
 JOHN J. BAYHA,  
 GEO. G. HANNAN,  
 N. W. BECK,  
 J. E. HUGHES,  
 H. C. BAYHA,  
 GEO. WM. MERCHANT.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of May, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this fourth day of May, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### HANNA & CLEMMANS PAPER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and

accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Hanna & Clemmans Paper Company, for the purpose of manufacturing and dealing in paper, paper stock, paper pulp and other articles that enter into the manufacture of, or are made from paper; which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, and state of West Virginia, and is to expire on the twenty-fifth day of April, A. D. 1906. And for the purpose of forming the said corporation, we have subscribed the sum of five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of five hundred dollars; and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By Thomas Hanna, Wheeling, W. Va., thirteen shares;  
 By Daniel Clemmans, Wheeling, W. Va., thirteen shares;  
 By C. A. Robinson, Wheeling, W. Va., twenty-two shares;  
 By J. M. Cecil, Wheeling, W. Va., one share;  
 By W. M. Clemmans, Wheeling, W. Va., one share.

And the capital to be hereafter sold is to be divided in shares of the like amount.

Given under our hands this 3rd day of May, A. D. 1886.

THOS. HANNA,  
 DANIEL CLEMMANS,  
 C. A. ROBINSON,  
 J. M. CECIL,  
 W. M. CLEMMANS.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty fifth day of April, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state at the city of Charleston, this tenth day of May, eigh een hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### YOUNG MENS' BUILDING ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Young Mens' Building Association, for the purpose of raising money to be loaned among the members of such corporation, for use in buying lots or houses; or in building or repairing houses; or for paying and liquidating liens on houses and other real estate; which corporation shall keep its principal office or place of business at Wellsburg, in the county of Brooke, and state of West Virginia and is to expire on the first day of June, eighteen hundred and ninety six.

And for the purpose of forming the said corporation, we have subscribed the sum of seven hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of seven'y-five dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to three hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred and fifty dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By J. E. Montgomery, one share;

By Henry Gasmire, one share;

By Charles D Hall, one share;

By John Dornan, one share;

By E. A. Sheets, one share.

All of the town of Wellsburg, West Virginia.

And the capital to be hereafter so'd, is to be divided into shares of the like amount.

Given under our hands, this 12th day of May, eighteen hundred and eighty-six.

J. E. MONTGOMERY,  
HENRY GASMIRE,  
CHAS. D. HALL,  
JOHN DORNAN,  
E. A. SHEETS.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of June, eighteen hundred and ninety six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this fifteenth day of May, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

#### BERKELEY SPRINGS AND POTOMAC RAILROAD.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation, duly

signed and acknowledged, have this day been delivered in my office, which articles of incorporation are in the words and figures following:

We, whose names are hereto subscribed, desiring to become a corporation for the purpose of constructing and operating a railroad in the state of West Virginia, do hereby adopt these articles of incorporation for that purpose:

First—The name of the corporation shall be The Berkeley Springs and Potomac Railroad Company.

Second—The railroad which this corporation propose to build, will commence at or near the town of Bath, in the county of Morgan, and run thence by the most practicable route to the Potomac river, and near unto either Hancock depot or Sir John's Run depot, in said county of Morgan.

Third—The principal business office of this corporation will be in the town of Bath, and state aforesaid.

Fourth—This corporation shall continue perpetually.

Fifth—The capital stock of this corporation shall be forty thousand dollars, divided into shares of twenty-five dollars each.

Sixth—The names and places of residence of the persons forming this corporation, and the number of shares of stock subscribed by each, are as follows:

Henry Willard, Morgan county, W. Va., 4 shares;  
 T. H. B. Dawson, Morgan county, W. Va., 4 shares;  
 H. W. Disher, Morgan county, W. Va., 4 shares;  
 Peter Haring, Morgan county, W. Va., 4 shares;  
 John T. Trego, Morgan county, W. Va., 4 shares;  
 W. H. Webster, Morgan county, W. Va., 4 shares;  
 J. W. Trimble, Morgan county, W. Va., 4 shares;  
 B. Frank Horn, Morgan county, W. Va., 4 shares;  
 Silas J. Havermale, Morgan county, W. Va., 4 shares;  
 H. W. Michael, Morgan county, W. Va., 4 shares;  
 J. G. Omph, Morgan county, W. Va., 4 shares;  
 Geo. W. Havermale, Morgan county, W. Va., 4 shares;  
 R. Hunter, Morgan county, W. Va., 4 shares;  
 J. Rufus Smith, Morgan county, W. Va., 4 shares;  
 D. Pratt Wright, Morgan county, W. Va., 4 shares;  
 B. F. Deford, Baltimore, Md., 4 shares.

Given under our hands this 30th day of April, 1886.

HENRY WILLARD,  
 T. H. B. DAWSON,  
 H. W. DISHER,  
 PETER HARING,  
 JOHN T. TREGO,  
 W. H. WEBSTER,  
 J. W. TRIMBLE,  
 B. FRANK HORN,  
 SILAS J. HAVERMALE,  
 H. W. MICHAEL,  
 J. G. OMPS,  
 GEO. W. HAVERMALE,



R. HUNTER,  
 J. RUFUS SMITH,  
 D. PRATT WRIGHT,  
 B. F. DEFORD.

Wherefore, the corporators named in said articles of incorporation, and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name, for the purpose and for the length of time set forth in said articles of incorporation.

Given under my hand and the great seal of the said [G. S.] state, at the seat of government thereof, this nineteenth day of May, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### BLACK DIAMOND COAL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Black Diamond Coal Company" for the purpose of mining, shipping and vending coal, purchasing and re-selling the same, buying and selling lumber, chartering, owning, running and navigating tow boats and barges, selling goods, wares and merchandise by wholesale and retail, owning, working and leasing coal lands, and generally doing all things necessary, proper, legal and incidental to the successful mining, shipping and vending of coal. Which corporation shall keep its principal office or place of business at Charleston in the county of Kanawha, and state of West Virginia, and is to expire on the first day of April, 1936. And for the purpose of forming the said corporation we have subscribed the sum of two thousand seven hundred dollars to the capital thereof and have paid in on said subscriptions the sum of two thousand seven hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each which are held by the undersigned respectfully as follows, to wit:

By C. W. Boyd, of Ripley, Ohio, ten shares;  
 By Wm. Sharpe, of Hampton, W. Va., five shares;  
 By W. N. Klase, of Hampton, W. Va., three shares,  
 By J. B. Klase, of Hampton, W. Va., three shares;  
 By James McKelvy, of Hampton, W. Va., three shares;  
 By J. P. Chapman, of Hampton, W. Va., three shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 13th day of April, 1886.

C. W. BOYD,  
WM. SHARPE,  
W. N. KLASE,  
J. B. KLASE,  
JAMES MCKELVY,  
J. P. CHAPMAN.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of April, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this twenty-fifth day of May, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

#### IMPROVEMENT AND CONSTRUCTION COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that Richard H. Morris, president of the Railroad Construction Company, has certified to me, under his hand and the corporate seal of said company, attested by its secretary, Wm. Stiles, that at a general meeting of the stockholders of said corporation, held on the 18th day of May, 1886, the following resolution was unanimously adopted, all the stockholders being present in person or by proxy and voting therefor:

*Resolved*, That the name of this company be and hereby is changed from Railroad Construction Company to the Improvement and Construction Company, and this company shall hereafter be known and entitled as the Improvement and Construction Company.

Wherefore, I do declare said change of name as stated in said resolution to be authorized by law, and the name of said company shall hereafter be the Improvement and Construction Company.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 26th day of May, 1886.

HENRY S. WALKER,  
*Secretary State.*

---

#### THE KEYSER BANK.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and

accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Keyser Bank," for the purpose of carrying on the business of a bank of issue and circulation, and of discount and deposit and of exercising under the laws of the state of West Virginia, all such incidental powers as shall be necessary to carry on the said business of banking by discounting promissory notes, negotiating drafts, bills of exchange and other evidences of indebtedness, receiving deposits, buying and selling exchange, bank notes, bullion or coin, and by loaning money on personal or other security and for doing a general banking business. Which corporation shall keep its principal office or place of business at Keyser, in the county of Mineral, state of West Virginia, and is to expire on the first day of May, A. D., nineteen hundred and six. And for the purpose of forming the said corporation, we have subscribed the sum of twenty five thousand dollars (\$25,000) to the capital thereof, and have paid in on said subscriptions the sum of twenty-five hundred dollars (\$2,500), and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred thousand dollars (\$100,000) in all. The capital so subscribed is divided into shares of one hundred dollars (\$100) each, which are held by the undersigned respectively, as follows, that is to say :

By F. M. Reynolds, of Keyser, W. Va., fifty shares ;  
 By Jas. T. Carskadon, of Keyser, W. Va., fifty shares ;  
 By Geo. E. Price, of Keyser, W. Va., ten shares ;  
 By I. M. Long, of Keyser, W. Va., twenty shares ;  
 By N. J. Crooks, of Keyser, W. Va., twenty shares ;  
 By G. T. Carskadon, of Keyser, W. Va., thirty shares ;  
 By E. F. Nine, of Keyser, W. Va., ten shares ;  
 By T. R. Carskadon, of Keyser, W. Va., fifty shares ;  
 By N. Alkire, of Keyser, W. Va., five shares ;  
 By J. R. Carskadon, of Keyser, W. Va., five shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 21st day of May, A. D. 1886.

F. M. REYNOLDS,  
 JAS. T. CARSKADON,  
 GEO. E. PRICE,  
 I. M. LONG,  
 N. J. CROOKS,  
 GEO. T. CARSKADON,  
 E. F. NINE,  
 T. R. CARSKADON,  
 N. ALKIRE,  
 J. R. CARSKADON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of May,

nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this twenty-eighth day of May, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

### COAL RIVER BOOM COMPANY.

#### DISSOLUTION.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that F. O. Ingham, president of the Coal River Boom Company, has certified to me under his signature and the common seal of the said corporation, that at a meeting of the stockholders of said company, held at St. Albans, on the 22nd day of May, 1886, a majority of the stock of said company being represented and voting unanimously, the following resolution was adopted :

*Resolved*, That the business of the Coal River Boom Company, be henceforth discontinued, that the president thereof certify this resolution under his hand and the corporate seal of this company, to the secretary of state of West Virginia, and that due notice thereof be published according to law.

Wherefore, the Coal River Boom Company is hereby declared to be dissolved according to law.

[G. S.] Given under my hand and the Great Seal of the said State at the city of Charleston, this 1st day of June, 1886.

HENRY S. WALKER,  
*Secretary of State.*

### FIRE AND MARINE INSURANCE COMPANY, OF WHEELING.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Fire and Marine Insurance Company of Wheeling," for the purpose of insuring against all marine risks and against any damage or loss by fire or by any other liability, casualty or hazard upon any and every kind of property, real, personal or mixed; to make insurance on life and to do all things deemed necessary to carry on a general insurance business; which corporation shall

keep its principal office or place of business at the city of Wheeling, in the county of Ohio and state of West Virginia, and to expire on the thirty-first day of May, nineteen hundred and thirty-six, (1936.) And for the purpose of forming the said corporation, we have subscribed the sum of four thousand five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of four hundred and fifty dollars; and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By Thomas Holcraft Logan, of the city of Wheeling, in the county of Ohio and state of West Virginia five (5) shares;

By Elijah James Stone, of the same city, county and state, five (5) shares;

By Charles James Rawling, of the same city, county and state, five (5) shares;

By Samuel James Boyd, of the same city, county and state, five (5) shares;

By Gustavus Adolph Beuter, of the same city, county and state, five (5) shares;

By Jacob Berger, of the same city, county and state, five (5) shares;

By William Alexander Wilson, of the same city, county and state, five (5) shares;

By Simon Horkheimer, of the same city, county and state, five (5) shares;

By Alfred Caldwell, of the same city, county and state, five (5) shares.

Said parties all reside in the said city, county and state; and the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this thirty-first day of May, A. D. 1886.

THOS. H. LOGAN,  
E. J. STONE,  
C. J. RAWLING,  
S. J. BOYD,  
G. A. BEUTER,  
JACOB BERGER,  
W. A. WILSON,  
SIMON HORKHEIMER,  
ALFRED CALDWELL.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the thirty-first day of May, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said

[G. S.] state, at the city of Charleston, this second day of June, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

THE NAIL CITY LANTERN COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Nail City Lantern Company, for the purpose of manufacturing and dealing in lamps and lanterns and all manner of illuminating devices ; and for the purpose of manufacturing and dealing in all kinds of stamped tin and brass ware, and of selling all of said manufactured articles hereinbefore mentioned, whether manufactured by said company in whole or in part, or by others. Which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio and state of West Virginia, and is to expire on the thirty first day of May, A. D. 1936. And for the purpose of forming the said corporation we have subscribed the sum of five hundred (500) dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty (50) dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one hundred thousand (100,000) dollars in all. The capital so subscribed is divided into shares of one hundred (100) dollars each, which are held by the undersigned respectively, as follows, that is to say :

By Samuel Laughlin, Wheeling, W. Va., one share ;  
By Joseph F. Paull, Wheeling, W. Va., one share ;  
By Alfred Paull, Wheeling, W. Va., one share ;  
By George A. Laughlin, Wheeling, W. Va., one share ;  
By Archibald W. Paull, Wheeling, W. Va., one share ;  
And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hand this first day of June, A. D. 1886.

SAMUEL LAUGHLIN,  
JOSEPH F. PAULL,  
GEORGE A. LAUGHLIN,  
ALFRED PAULL,  
ARCHIBALD W. PAULL.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the thirty first day of May, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this third day of June, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE STANDARD IRON COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Standard Iron Company, for the purpose of manufacturing iron and steel in any and all of their different branches; mining and dealing in coal, and doing and conducting such other business as may be advantageous or incidental to the manufacturing of iron, and steel or either of them, in any and all of their various and different branches. Said business of the said company may be done, conducted and carried on both within and without the state of West Virginia. Which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio and state of West Virginia, and is to expire on the first day of June, A. D., 1936. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred (500) dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty (50) dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to one million (1,000,000) dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By Alonzo Loring, Wheeling, W. Va., 1 share;

By Lewis S. Delaplain, Wheeling, W. Va., 1 share;

By Daniel C. List, Jr., Wheeling, W. Va., 1 share;

By John J. Jones, Wheeling, W. Va., 1 share;

By Samuel P. Hildreth, Wheeling, W. Va., 1 share;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this first day of June, A. D., eighteen hundred and eighty-six.

ALONZO LORING,  
LEWIS S. DELAPLAIN,  
DANIEL C. LIST, Jr.,  
JOHN J. JONES,  
SAMUEL P. HILDRETH.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are

hereby declared to be from this date until the first day of June, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State, at the city of Charleston, this fifth day of June, 1886.

HENRY S. WALKER,  
*Secretary of State.*

### CENTRAL OIL COMPANY OF WHEELING.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following.

The undersigned agree to become a corporation by the name of The Central Oil Company of Wheeling, for the purpose of boring for, developing, producing, refining, dealing in and selling natural oils and gas, for heating, lighting and other purposes, and of buying, holding and selling lands and leases for the same purpose, and of laying, buying, leasing and selling and operating pipes and pipe lines and tanks, and of transporting and storing oils, and of doing a general pipe line and storage business, which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, and state of West Virginia, and is to expire on the first day of June, nineteen hundred and thirty-six. And for the purpose of forming the said corporation, we have subscribed the sum of six thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of five thousand five hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By N. B. Scoot, Wheeling, W. Va., ten shares;  
By T. H. Logan, Wheeling, W. Va., five shares;  
By Morris Horkheimer, Wheeling, W. Va., twenty-five shares;  
By Joseph Speidel, Wheeling, W. Va., ten shares;  
By W. E. Hughes, Wheeling, W. Va., ten shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 1st day of June, 1886.

N. B. SCOOT,  
T. H. LOGAN,  
MORRIS HORKHEIMER,  
JOSEPH SPEIDEL,  
W. E. HUGHES.



Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of June, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this seventh day of June, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### POINT PLEASANT BRIDGE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the Point Pleasant Bridge Company, for the purpose of constructing or purchasing and maintaining a bridge across the Ohio river at Point Pleasant, in the state of West Virginia. Which corporation shall keep its principal office or place of business at Point Pleasant, in said state, and shall continue for fifty years from the date of its certificate of incorporation. And for the purpose of forming the said corporation, we have subscribed the sum of twenty thousand dollars to the capital stock thereof, and have paid in on said subscriptions to Wm. M. Barnum, who is the person who has been appointed to receive the same for the intended corporation, the sum of two thousand dollars; and desire the privilege of increasing the said capital stock, by the sale of additional shares from time to time, to one million dollars in all. The capital stock so subscribed is divided into two hundred shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say :

By Wm. M. Barnum, of New York city, N. Y., one hundred shares;

By Thomas Thacher, of New York city, N. Y., fifty shares;

By George Hoffman, Brooklyn, N. Y., ten shares;

By A. C. Smith, New York city, N. Y., ten shares;

By Philip G. Bartlett, New York city, N. Y., thirty shares.

And the capital stock to be hereafter sold is to be divided into shares of the like amount.

In witness whereof we have hereunto subscribed our names, this fourteenth day of June, in the year one thousand eight hundred and eighty-six.

WM. M. BARNUM,  
PHILIP G. BARTLETT,  
A. C. SMITH,  
GEO. HOFFMAN,  
THOMAS THACHER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the eighteenth day of June, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State, at the city of Charleston, this 18th day of June, 1886.

HENRY S. WALKER,  
*Secretary of State.*

### THE W. H. SMITH HARDWARE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The W. H. Smith Hardware Company, for the purpose of carrying on a general wholesale and retail business in the f and heavy hardware, agricultural and mechanical implements, stoves, tin ware, builders' material, cordage, ammunition, wooden-ware, blue pipe, and drain tiling; and for the purpose of manufacturing any or all of the goods, merchandise and implements so to be kept and sold in the prosecution of the wholesale and retail business aforesaid; and for the purpose of erecting and maintaining shops, factories and foundries to be owned, used and occupied for such manufacturing purposes aforesaid; which corporation shall keep its principal office or place of business at the city of Parkersburg, in the county of Wood, state of West Virginia, and is to expire on the first day of January, nineteen hundred and seventeen. And for the purpose of forming the said corporation we have subscribed the sum of fifty thousand eight hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty thousand eight hundred dollars; and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By W. H. Smith, Parkersburg, West Virginia, sixty-five shares;

By W. H. Smith, Jr., Parkersburg, West Virginia, three hundred and ninety shares;

By T. P. Smith, Parkersburg, West Virginia, twenty-eight shares;

By C. R. Smith, Gainsville, Texas, twenty shares;

By Levin Smith, Parkersburg, West Virginia, five shares;

And the capital to be hereafter sold, is to be divided into shares of the like amount.

Given under our hands, this 7th day of June, 1886.

W. H. SMITH,  
W. H. SMITH, Jr.,  
T. P. SMITH,  
C. R. SMITH,  
LEVIN SMITH.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and seventeen, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this eighteenth day of June, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE WHEELING POTTERY COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Wheeling Pottery Company, for the purpose of manufacturing C. C. ware, iron-stone china, porcelain ware, semi porcelain ware, parian ware, and all other kinds of crockery, of mining, of the purchase and sale of merchandise, and of manufacturing and selling barrels, casks, staves, boxes, kegs, and all kinds of cooperage, which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio and state of West Virginia, and is to expire on the sixteenth day of June, A. D. 1936. And for the purpose of forming the said corporation we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one million dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

By George K. Wheat, whose residence is the city of Wheeling, in Ohio county, in the state of West Virginia, one share;

By William A. Isett, whose residence is the said city, one share;

By Charles W. Franzheim, whose residence is the said city, one share:

By Edward M. Pearson, whose residence is the said city, one share;

By William Kirbach, whose residence is the said city, one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this sixteenth day of June, A. D. 1886.

GEO. K. WHEAT,  
WM. A. ISETT,  
CHAS. W. FRANZHEIM,  
EDWARD M. PEARSON,  
WILLIAM KIRBACH.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the sixteenth day of June, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-fourth day of June, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE WEST VIRGINIA AND OHIO RAILROAD COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation, duly signed and acknowledged, have this day been recorded in my office, which articles of incorporation are in the words and figures following :

We, whose names are hereto subscribed, desiring to become a corporation for the purpose of constructing and operating a railroad in the State of West Virginia, do adopt these articles of incorporation for that purpose :

*First*—The name of the corporation shall be “The West Virginia and Ohio Railroad Company.”

*Second*—The railroad which this corporation propose to build will commence at a point on the line of the Flat Top Extension of the New River Division of the Norfolk and Western Railroad Company, at or near the boundary line between the States of Virginia and West Virginia, in the county of Mercer, of West Virginia, and run thence by the most practicable route to a point at or near Charleston, in the county of Kanawha, West Virginia.

*Third*—The principal business office of this corporation will be at Bramwell, in the county of Mercer, in the State of West Virginia.

*Fourth*—The corporation shall continue perpetually.

*Fifth*—The capital of this company shall be one hundred thousand dollars, divided into one thousand shares of one hundred

dollars each, with the privilege of increasing the same from time to time according to law.

*Sixth*—The names and places of residence of the persons forming this corporation and the number of shares of stock subscribed by each are as follows :

William C. Bullitt, 27th street and South Hampton avenue, Philadelphia, Pa., one share ;

Joseph I. Doran, 120 So. 19th, Philadelphia, Pa., two shares ;

William McGeorge, Jr., 32 South Third street, Philadelphia, Pa., one share ;

William A. Dick, 1709 Locust street, Philadelphia, Pa., one share ;

H. Gordon McCouch, 2104 Pine street, Philadelphia, Pa., one share ;

Richard C. Dale, 411 S. Broad street, Philadelphia, Pa., one share.

Given under our hands this nineteenth day of June, A. D. one thousand eight hundred and eighty-six.

WILLIAM C. BULLITT,  
JOSEPH I. DORAN,  
WM. MCGEORGE, JR.,  
WILLIAM A. DICK,  
H. GORDON MCCOUCH,  
RICHARD C. DALE.

Wherefore, the corporators named in said articles of incorporation and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name, for the purpose and for the length of time set forth in said articles of incorporation.

Given under my hand and the great seal of the said [G. S.] State at the seat of government thereof, this twenty-fifth day of June, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

## SUPREME GRAND COUNCIL OF THE KNIGHTS OF THE MYSTIC SEVEN.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of Supreme Grand Council of the Knights of the Mystic Seven, for the purpose of benevolence and charity, by rendering mutual aid and assistance to the members of its councils; to have a common seal, to sue and be sued, plead and be impleaded; to issue charters to branch councils; to make such by-laws and regula-

tions for the government of said councils as a majority of its members may adopt, and, for the purpose above named, desire authority to purchase, lease, hold, sell and convey real property to the amount of twenty thousand dollars, and personal property to the value of thirty thousand dollars. Which corporation shall keep its principal office or place of business at the city of Parkersburg, in the county of Wood, and state of West Virginia, and is to expire on the 19th day of May, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of two hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to fifty thousand dollars in all. The capital so subscribed is divided into shares of one dollar each, which are held by the undersigned respectively, as follows, that is to say :

By S. H. Peirsol, Parkersburg, Wood county, W. Va., forty shares;

By J. A. Platt, Parkersburg, Wood county, W. Va., forty shares;

By Thomas R. Park, Parkersburg, Wood county, W. Va., fifty shares;

By James F. Jackson, Parkersburg, Wood county, W. Va., forty shares;

By W. F. Thayer, Parkersburg, Wood county, W. Va., ten shares;

By B. O. Rule, Parkersburg, Wood county, W. Va., ten shares;

By W. R. Neal, Parkersburg, Wood county, W. Va., ten shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 19th day of June, 1886.

S. H. PEIRSOL,	[Seal.]
J. A. PRATT,	[Seal.]
THOMAS A. PARK,	[Seal.]
JAMES F. JACKSON,	[Seal.]
W. F. THAYER.	[Seal.]
B. O. RULE,	[Seal.]
W. R. NEAL,	[Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the nineteenth day of May, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-sixth day of June, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

THE EMMNER TELEPHONE COMPANY OF WEST VIRGINIA.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Emmner Telephone Company, of West Virginia, for the purpose of constructing and maintaining telephone lines or a system of telephone lines in and from Charlestown, Jefferson county, West Virginia, to all other parts of said county and state. And also for the purpose of connecting and co operating the same with other lines or systems of telephone and telegraph lines in the state of Maryland and Virginia. And for the general purpose of constructing and maintaining magnetic telegraph and telephone lines both underground and overhead and carrying on any business properly pertaining to such works and improvements. Which corporation shall keep its principal office or place of business at Charlestown, in the county of Jefferson, and state of West Virginia, and is to expire on the 25th day of June, nineteen hundred and thirty-six. And for the purpose of forming the said corporation we have subscribed the sum of two hundred and fifty dollars to the capital hereof, and have paid in on said subscriptions the sum of twenty five dollars, and desire the privilege of increasing the said capital by sale of additional shares from time to time, to one hundred thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By Bushrod C. Washington, Charlestown, Jefferson county, W. Va., one share;

By Gustav Brown, Charlestown, Jefferson county, W. Va., one share;

By John Porterfield, Charlestown, Jefferson county, W. Va., one share;

By Forest W. Brown, Charlestown, Jefferson county, W. Va., one share;

By Frank Beckwith, Charlestown, Jefferson county, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 28th day of June, 1886.

B. C. WASHINGTON,  
GUSTAV BROWN,  
JOHN PORTERFIELD,  
FORREST W. BROWN,  
FRANK BECKWITH.

Wherefore, the corporators named in the said agreement, and

who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-fifth day of June, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 30th day of June, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### HANNA AND NYE MANUFACTURING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Hanna and Nye Manufacturing Company," for the purpose of carrying on a general hardware and house furnishing business; manufacturing iron, zinc and tinwares, metallic and slate roofings and other house-furnishing goods; buying and selling the same and other goods, wares and merchandise, at wholesale and retail; and doing all other things incident, proper and necessary to the successful operation of said business. Which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, and state of West Virginia, and is to expire on the first day of July, 1936. And for the purpose of forming the said corporation we have subscribed the sum of six thousand four hundred dollars (\$6,400.00) to the capital thereof, and have paid in on said subscriptions the sum of six thousand four hundred dollars (\$6,400.00), and desire the privilege of increasing the said capital by the sale of additional shares from time to time to fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

By W. S. Hanna, of Charleston, W. Va., thirty-one shares;

By R. Hanna, of Charleston, W. Va., one share;

By A. T. Nye, jr., of Marietta, Ohio, thirty shares;

By H. H. Nye, of Marietta, Ohio, one share;

By A. T. Nye, sr., of Marietta, Ohio, one share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 1st day of July, 1886.

W. S. HANNA,  
RUSS. HANNA,  
A. T. NYE, JR.,  
H. H. NYE,  
A. T. NYE, SR.



Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of July, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this ninth day of July, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

### CAMP PATTON.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Camp Patton, for the purpose of commemorating the memory of our fallen comrades in the late confederate cause, and to minister, as far as practicable, to the wants of those who were permanently disabled in that service; to preserve and maintain that sentiment of fraternity born of the hardships and dangers shared in the march, the bivouac and the battle field. We do not propose to prolong the animosities engendered by the war, but to extend to our late adversaries on every fitting occasion the courtesies which are always proper between soldiers and which a restored and common citizenship demands at our hands. We propose to avoid everything that partakes of partisanship in religion and politics, and we will lend our aid to the maintenance of law and the preservation of order. We also propose to acquire title to and hold land and other property in such manner, and in such quantity as we may, by law, be authorized and empowered to acquire and hold, for the purpose of founding a "Home" for invalid and infirm confederate soldiers, and for the education and maintenance of the children of invalid and infirm or deceased confederate soldiers, and to enable us more fully to carry out these objects this corporation may receive donations from state societies, corporations and individuals. Which corporation shall keep its office or place of business at the city of Charleston, in the county of Kanawha and state of West Virginia, and is to expire on the first day of July, 1922. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of thirty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one dollar each, which are held by the undersigned respectively as follows, that is to say:

By John Fulks, Charleston, W. Va., twenty shares ;  
 By P. F. Duffy, Charleston, W. Va., twenty shares ;  
 By J. S. Payne, Charleston, W. Va., twenty shares ;  
 By J. H. Van Buran, Charleston, W. Va., twenty shares ;  
 By Mason M. Rusk, Charleston, W. Va., twenty shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 13th day of July, 1886.

JOHN FULKS,  
 P. F. DUFFY,  
 J. S. PAYNE,  
 J. H. VAN BURAN,  
 MASON RUSK.

Wherefore, the incorporators named in the said agreement, and who have signed the same and their successors and assigns, are hereby declared to be from this date until the first day of July nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this thirteenth day of July, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

#### JEFFERSON COUNTY BUILDING ASSOCIATION, NO. 8.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of Jefferson County Building Association No. 8, for the purpose of raising money to be distributed among its members to be used by them in buying lands or houses, or in building or repairing houses, for paying and liquidating liens on houses and other real estate, which corporation shall keep its principal office or place of business at Charlestown, in the county of Jefferson, West Virginia, and is to expire on the first day of January, 1897. And for the purpose of forming the said corporation, we have subscribed the sum of six hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of sixty-five dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to two hundred and sixty thousand dollars in all. The capital so subscribed is divided into shares of one hundred and thirty dollars each, which are held by the undersigned, respectively, as follows, that is to say :

By S. W. Washington, Charlestown, W. Va., 1 share,  
 By George S. Eyster, Halltown, W. Va., 1 share ;

By S. S. Dalgarn, Charlestown, W. Va., 1 share ;  
 By J. M. Coyle, Charlestown, W. Va., 1 share ;  
 By H. H. Cooke, Charlestown, W. Va., 1 share ;  
 And the capital to be hereafter sold is to be divided into shares  
 of like amount.

Given under our hands this 10th day of July, 1886.

S. W. WASHINGTON,  
 GEO. S. EYSTER,  
 S. S. DALGARN,  
 J. M. COYLE,  
 H. H. COOKE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, eighteen hundred and ninety-seven, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 15th day of July, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### EMPIRE AXLE MANUFACTURING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Empire Axle Manufacturing Company, for the purpose of manufacturing, selling, renting, leasing and operating Watkeys' adjustable car axle for street cars, elevated, electric, steam and other railroads, and other car and railway devices and improvements; to own, buy and lease land for that purpose, and to erect buildings and machinery thereon; which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, and is to expire on July 1st, A. D 1936. And for the purpose of forming said corporation, we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to six hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Nelson L. Williams, Syracuse, two shares;  
 By Henry Watkeys, Syracuse, two shares;

By George B. Hibbard, New York, two shares;  
 By Dudley S. Steele, Hackensack, N. J., two shares;  
 By Herman Kobbe, New York, two shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 12th day of July, A. D. 1886.

NELSON L. WILLIAMS,  
 HENRY WATKEYS,  
 GEORGE S. HIBBARD,  
 DUDLEY S. STEELE,  
 HERMAN KOBBE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of July, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this seventeenth day of July, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### NATURAL GAS ILLUMINATING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Natural Gas Illuminating Company, for the purpose of dealing in and furnishing gas, natural or artificial, for illuminating purposes; manufacturing, purchasing, selling and leasing appliances for burning gas, and purchasing, holding, selling or otherwise disposing of letters patent and rights thereunder; which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, West Virginia, and is to expire on the first day of July 1936. And for the purpose of forming the said corporation we have subscribed the sum of five thousand dollars (\$5,000) to the capital thereof, and have paid in on said subscriptions the sum of five thousand dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to two hundred and fifty thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By O. N. Magee, Robert C. Elliott, C. B. McLean, T. H. Given and John N. Neeb, all residing in Pittsburg, Allegheny county, Pennsylvania, each twenty of the said shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 15th day of July, 1886.

C. L. MAGEE,  
R. C. ELLIOTT,  
I. H. GIVEN,  
C. B. MCLEAN,  
J. N. NEEB.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of July, nineteen hundred and eighty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G.S.] state, at the city of Charleston, this 20th day of July, eighteen hundred and eighty-six

HENRY S WALKER,  
*Secretary of State.*

#### HINTON BUILDING AND LOAN ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Hinton Building and Loan Association, for the purpose of raising money to be distributed among its members and by such members used in buying lands and houses, or in building or repairing, or paying and liquidating liens on houses and other real estate. Which corporation shall keep its principal office or place of business at Hinton, in the county of Summers, and state of West Virginia, and is to expire on the 17th day of July, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of six hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of sixty five dollars; and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to two hundred and sixty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred and thirty dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By H. R. Dill, Hinton, W. Va., 1 share;  
By J. P. Bingley, Hinton, W. Va., 1 share;  
By J. L. McCreery, Hinton, W. Va., 1 share;  
By A. T. Maupin, Hinton, W. Va., 1 share.  
By E. H. Peck, Hinton, W. Va., 1 share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 17th day of July, 1886.

H. R. DILL,  
J. P. BINGLEY,  
J. L. MCCREERY,  
A. T. MAUPIN,  
E. H. PECK.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the seventeenth day of July, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this twenty-second day of July, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### BEECHWOOD COAL AND COKE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Beechwood Coal and Coke Company, for the purpose of mining coal and manufacturing coke, and shipping and selling the same, and to perform all other branches of a legitimate coal mining and coke manufacturing business; which corporation shall keep its principal office or place of business at Beechwood, in the county of Fayette, and is to expire on the 4th day of July, 1916. And for the purpose of forming said corporation, we have subscribed the sum of twenty-five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of two thousand five hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Charles C. Beury, Stone Cliff, W. Va., 62 shares;

By Isaac W. Rowe, Caperton, W. Va., 62 shares;

By John D. Campbell, Caperton, W. Va., 62 shares;

By E. W. Bridger, Caperton, W. Va., 62 shares;

By Joseph L. Beury, Echo, W. Va., 2 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 22nd day of July, 1886.

CHARLES C. BEURY,  
ISAAC W. ROWE,  
JOHN D. CAMPBELL,  
E. W. BRIDGE,  
JOSEPH L. BEURY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the fourth day of July, nineteen hundred and sixteen, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this 27th day of July, 1886.

HENRY S. WALKER,  
*Secretary of State.*

---

### THE COAL RIVER BOOM AND TIMBER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Coal River Boom and Timber Company," for the purpose of constructing a boom or booms in Coal River, in the counties of Kanawha, Lincoln and Boone, in the state of West Virginia, at or near the old lock, number two, in Kanawhacounty, and extending thence up the main or Big Coal River to the confluence of the Marsh Fork and the Clear Fork thereof in the county of Raleigh, West Virginia, also from the mouth of Little Coal River up said river to the confluence of the Pond Fork and the West Fork thereof in the county of Boone aforesaid, for the purpose of stopping and securing boats, rafts, logs, masts, spars and other timber and lumber. Which corporation shall keep its principal office or place of business at St. Albans, in the county of Kanawha, and state of West Virginia, and is to expire on the 19th day of July, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of six hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of sixty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to three hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By James M. French, Princeton, Mercer county, W. Va., one share;

By J. M. Thomas, Saltville, Va., one share;

By P. H. McCrackin, St. Albans, W. Va. one share ;  
 By G. F. McComas, Ripplemead, Va., one share ;  
 By Charles D. French, Pearisburg, Va., one share ;  
 By G. W. Easley, Pearisburg, Va., one share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this nineteenth day of July, 1886.

JAMES M. FRENCH,  
 J. M. THOMAS,  
 P. H. McCRACKIN,  
 G. F. McCOMAS,  
 CHARLES D. FRENCH,  
 G. W. EASLEY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the nineteenth day of nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 27th day of July, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## VIRGINIA CHINA CLAY AND FIRE BRICK COMPANY.

### AMENDMENT TO CHARTER.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that J. H. Pipes, president of the Virginia China Clay and Fire Brick Company, a corporation created under the laws of the state of West Virginia, has certified to me under his signature and the common seal of said corporation that at a meeting of the stockholders of said corporation held on the nineteenth day of July, 1886, the following resolution was adopted, a majority of the stock of said company being represented :

*Resolved*, That the par value of the shares of the capital stock of Virginia Clay and Fire Brick Company, be reduced from fifty dollars to ten dollars per share, and that the number of shares of said capital stock be increased from fifteen hundred shares to three thousand shares, so that hereafter the authorized capital stock of the said company shall consist of three thousand shares of the par value of ten dollars each. ✓

Wherefore, I do hereby declare the proposed amendment to the charter as set forth in said resolution to be authorized by law.

Given under my hand and the great seal of the said



[G. S.] state, at the city of Charleston, this 29th day of July, 1886.

HENRY S. WALKER,  
*Secretary of State.*

### THE CITY BANK OF WHEELING.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The City Bank of Wheeling, for the purpose of conducting a banking business by discounting promissory notes, negotiating drafts, bills of exchange and other evidences of indebtedness, receiving deposits, buying and selling exchange, bank notes, bullion or coin, and by loaning money upon personal or other securities; which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, and is to expire on the 1st day of August, A. D. 1936. And for the purpose of forming the said corporation, we have subscribed the sum of twenty-five thousand dollars (\$25,000) to the capital thereof, and have paid in on said subscriptions the sum of twenty-five hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to two hundred thousand dollars (\$200,000) in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say :

By Henry K. List, Wheeling, W. Va., 50 shares;

By D. C. List, Jr., Wheeling, W. Va., 20 shares;

By Ambrose L. List, Wheeling, W. Va., 50 shares;

By John K. List, Wheeling, W. Va., 30 shares;

By R. C. Dalzell, Wheeling, W. Va., 100 shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 27th day of July, A. D. 1886.

HENRY K. LIST,

JOHN K. LIST,

R. C. DALZELL,

AMBROSE L. LIST,

D. C. LIST, JR.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of August, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said

[G. S.] state, at the city of Charleston, this twenty-ninth day of July, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE WESTON CONCERT HALL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Weston Concert Hall Company, for the purpose of providing and furnishing a suitable place for all amusements of a literary, musical and dramatic character and for entertainments generally, and for the purpose of exercising all the powers, rights and privileges conferred upon such corporations by the laws of the state of West Virginia, which corporation shall keep its principal office or place of business in the town of Weston, Lewis county, West Virginia, and is to expire on the 31st day of December, 1935. And for the purpose of forming said corporation we have subscribed the sum of four hundred and eighty dollars to the capital thereof, which amount has been paid in, and we desire the privilege of increasing the capital by the sale of additional shares from time to time, to five thousand dollars. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively as follows, that is to say, by

George B. Simpson, of Weston, 12 shares ;

James B. Finster, of Weston, 12 shares ;

W. T. Bland, of Weston, 12 shares ;

N. B. Newlon, of Weston, 6 shares ;

B. D. Bailey, of Weston, 6 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this second day of August, 1886,

GEO. B. SIMPSON,  
J. B. FINSTER,  
W. T. BLAND,  
N. B. NEWLON,  
B. D. BAILEY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the thirty-first day of December, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this ninth day of August, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE LAZEAR GLASSWARE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Lazear Glassware Company, for the purpose of manufacturing and dealing in glassware of all descriptions. Which corporation shall keep its principal office or place of business at Lazearville, in the county of Brooke, and state of West Virginia, and is to expire on the sixth day of August, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars; and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By H. G. Lazear, Lazearville, W. Va., 1 share;

By Isaac M. Johnson, Wellsburg, W. Va., 1 share;

By Jacob Bonshire, Wellsburg, W. Va., 1 share;

By R. Hellstern, Lazearville, W. Va., 1 share;

By Robt. Scott, Wellsburg, W. Va., 1 share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this sixth day of August, 1886.

H. C. LAZEAR,  
ISAAC M. JOHNSON,  
JACOB BONSHIRE,  
R. HELLSTERN,  
ROBT. SCOTT.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the sixth day of August, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 9th day of August, 1886.

HENRY S. WALKER,  
*Secretary of State.*

## THE KANAWHA AND NEW RIVER BOOM COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and

accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the Kanawha and New River Boom Company, for the purpose of constructing, maintaining and operating a boom or booms with or without piers on the Great Kanawha river, Gauley river and New river at some point or points between the head of Loup creek shoals on the Great Kanawha river, and some point or points upon Gauley river between the mouth of Twenty Mile creek and the mouth of said river at Gauley Bridge, and some point or points at or near the Narrow Falls on New river above the New river basin opposite the mouth of the said Gauley river ; which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, and is to expire on the first day of August, 1936, and commence on the 6th day of August, 1886. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars, and have paid in on the said subscriptions the sum of fifty dollars ; and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to one million dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say :

By William S. Edwards, Charleston, W. Va., one share ;

By D. W. Patterson, Jr., Charleston, W. Va., one share ;

By W. S. Laidley, Charleston, W. Va., one share ;

By A. H. Mahone, Charleston, W. Va., one share ;

By L. E. McWhorter, Charleston, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this first day of August, 1886.

Wm. S. EDWARDS,	[Seal.]
D. W. PATTERSON, JR.,	[Seal.]
W. S. LAIDLEY,	[Seal.]
A. H. MAHONE,	[Seal.]
L. E. MCWHORTER,	[Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of August, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G.S.] state, at the city of Charleston, this tenth day of August, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

THE VIRGINIA, CHARLESTON AND NORTHERN RAIL-  
WAY COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation, duly signed and acknowledged, have this day been recorded in my office, which articles of incorporation are in the words and figures following:

We, whose names are hereto subscribed, desiring to become a corporation for the purpose of constructing and operating a railroad in the state of West Virginia, do hereby adopt these articles of incorporation for that purpose.

First—The name of the corporation shall be “The Virginia, Charleston and Northern Railway Company.”

Second—The railroad which this corporation proposes to build, will commence at or near Charleston, in Kanawha county, and run thence by the most practicable route to some point at or near the Blue Stone River, in the counties of Summers or Mercer, and to some point on the dividing line between the states of Virginia and West Virginia in the counties of Monroe or Mercer, with the right to construct and operate branch lines within or through any of the counties which the main line may traverse.

Third—The principal business office of this corporation will be at Charleston, in the county of Kanawha, state of West Virginia.

Fourth—This corporation shall continue perpetually.

Fifth—The capital stock of this company shall be one thousand dollars, divided into shares of \$100 each.

Sixth—The names and places of residence of persons forming this corporation, and the number of shares of stock subscribed by each, are as follows:

William S. Edwards, Charleston, W. Va., 2 shares;  
Wm. A. Quarrier, Charleston, W. Va., 2 shares;  
William H. Edwards, Coalburg, W. Va., 2 shares;  
Frank Woodman, Charleston, W. Va., 1 share;  
Morris O. Brooks, Charleston, W. Va., 1 share;  
L. G. Gaines, Fayette C. H., W. Va., 1 share;  
Morris Harvey, Fayette county, W. Va., 1 share.

Witness the following signatures this first day of December, 1885.

WILLIAM S. EDWARDS,  
WM. A. QUARRIER,  
WILLIAM H. EDWARDS,  
FRANK WOODMAN,  
MORRIS O. BROOKS,  
L. G. GAINES,  
MORRIS HARVEY,

Wherefore, the corporators named in the said articles of incorporation, and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name,

for the purpose and for the length of time set forth in said articles of incorporation.

Given under my hand and the great seal of the said state [G. S.] at the seat of government thereof, this 12th day of August, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## OHIO AND WEST VIRGINIA MUTUAL AID ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement, duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Ohio and West Virginia Mutual Aid Association, for the purpose of insuring the lives of individuals on the "assessment" plan, for the mutual protection and relief of those who may become beneficiary members of said association, and for the payment of stipulated sums of money to the families or heirs of its deceased members and to members themselves; and for the purpose of receiving money by voluntary contribution or donation, or by assessments on its members, and for the purpose of accumulating, appropriating or investing the same in such manner as it may deem proper, in accordance with such rules, regulations and by-laws as may be adopted by the board of directors. Which corporation shall keep its principal office at the city of Parkersburg, in the county of Wood, and is to continue perpetually. And for the purpose of forming said corporation, we have subscribed the sum of sixteen hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred and sixty dollars, and desire the privilege of increasing the said capital, by sales of additional shares from time to time, to one hundred thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say:

By John G. McCluer, Parkersburg, W. Va., two shares;

By M. T. Hall, Parkersburg, W. Va., two shares;

By J. R. Timms, Parkersburg, W. Va., six shares;

By Chas. T. Caldwell, Parkersburg, W. Va., two shares;

By A. L. Wiley, Zanesville, Ohio, two shares;

By Joseph E. McCoy, Belleville, W. Va., five shares;

By Samuel Stewart, Parkersburg, W. Va., six shares;

By V. B. Archer, Parkersburg, W. Va., two shares;

By D. H. Leonard, Parkersburg, W. Va., two shares;

By A. N. Williams, Parkersburg, W. Va., two shares;

By W. N. Chancellor, Parkersburg, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands and seals this 11th day of August, 1886.

J. G. McCLUER,	[Seal.]
J. R. TIMMS,	[Seal.]
C. T. CALDWELL,	[Seal.]
A. L. RILEY,	[Seal.]
J. E. MCCOY,	[Seal.]
SAMUEL STEWART,	[Seal.]
V. B. ARCHER,	[Seal.]
D. H. LEONARD,	[Seal.]
A. N. WILLIAMS,	[Seal.]
M. T. HALL,	[Seal.]
W. N. CHANCELLOR,	[Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date, perpetually, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this twentieth day of August, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### THE CAMERON FAIR ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Cameron Fair Association, for the purpose of holding an annual industrial exposition, agricultural fair and horse fair at or near Cameron, Marshall county, state of West Virginia. Which corporation shall keep its principal office or place of business at Cameron, in the county of Marshall, and state of West Virginia, and is to expire on the first day of January, 1900. And for the purpose of forming the said corporation, we have subscribed the sum of three hundred and forty dollars to the capital thereof, and have paid in on said subscriptions the sum of three hundred and forty dollars; and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to five thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By R. B. Watson, Cameron, 2 shares;

By John G. Crawford, Cameron, 2 shares;  
 By Samuel S. Hicks, Cameron, 3 shares;  
 By Jacob Estel, Cameron, 1 share;  
 By J. I. Spragg, Cameron, 3 shares;  
 By G. W. Howard, Cameron, 2 shares;  
 By E. W. Fitzgerald, Cameron, 2 shares;  
 By J. W. Dolan, Cameron, 1 share;  
 By L. L. Howard, Cameron, 1 share;  
 By G. W. Byrnes, Cameron, 1 share;  
 By James A. Chambers, Cameron, 1 share;  
 By Joseph Laudenslager, Loudensville, 1 share;  
 By Josephus Hicks, Cameron, 2 shares;  
 By J. C. McCracken, Cameron, 1 share;  
 By J. W. Mathews, Cameron, 1 share;  
 By I. Malone, Cameron, 2 shares;  
 By A. J. Clutter, Cameron, 1 share;  
 By T. L. Davis, Cameron, 1 share;  
 By G. A. Jones, Rock Lick, 1 share;  
 By S. H. Cooper, Cameron, 2 shares;  
 By J. C. Lough, Cameron, 1 share;  
 By Jas. C. Crawford, Cameron, 1 share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 9th day of June, 1886.

R. B. W. ATSON,  
 J. C. LOUGH,  
 J. P. SPRAGG,  
 G. A. JONES,  
 J. W. DOLAN,  
 J. C. MCCRACKEN, M. D.,  
 JOSEPH LAUDENSLAGER,  
 T. L. DAVIS,  
 JOSEPHUS HICKS,  
 L. L. HOWARD,  
 G. W. HOWARD,  
 S. H. COOPER,  
 E. W. FITZGERALD,  
 S. S. HICKS,  
 JACOB ESTEL,  
 G. W. BYRNES,  
 A. J. CLUTTER,  
 INGLE MALONE,  
 J. G. CRAWFORD,  
 JAS. A. CHAMBERS,  
 J. W. MATHEWS,  
 JAS. C. CRAWFORD.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January,



nineteen hundred a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twentieth day of August, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE SOUTH-WESTERN OIL AND GAS COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned, residents of Parkersburg, West Virginia, agree to become a corporation by the name of "The South-Western Oil and Gas Company," for the purpose of owning and operating upon oil and mineral lands and leases; the purchase, refining and selling of oils; the transporting of oils and other fluids by boats, pipe-lines, tank cars and other means; the producing of natural gas and transporting through pipes and mains of the same and the selling of the same for fuel and other purposes; the storage of natural gas, petroleum and its products, and the construction of tanks and receptacles for that purpose. The purchasing of timber and timber lands and the cutting, manufacturing and selling of staves, lumber, barrels and other articles from timber, and the carrying on of a general manufacturing and mercantile business. Which corporation shall keep its principal office or place of business at Parkersburg, in the county of Wood, and state of West Virginia and is to expire on January 1st, nineteen hundred and six [A. D. 1906]. For the purpose of forming the said corporation, we have subscribed the sum of twenty-five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of two hundred and fifty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred and fifty thousand dollars in all. The capital so subscribed is divided into shares of twenty five dollars each, which are held by the undersigned respectively, as follows,

**viz:**

- By M. R. Minshall, Parkersburg, W. Va., 42 shares;
- By And. G. Clark, Parkersburg, W. Va., 10 shares;
- By G. E. Milligan, Parkersburg, W. Va., 8 shares;
- By M. Sweetser, Parkersburg, W. Va., 5 shares;
- By F. W. Minshall, Parkersburg, W. Va., 28 shares;
- By Barna Powell, Parkersburg, W. Va., 1 share;
- By William Bentley, Parkersburg, W. Va., 2 shares;
- By Susan A. Hill, Parkersburg, W. Va., 4 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-first of July, A. D. 1886.

M. R. MINSHALL,  
GEO. E. MILLIGAN,  
SUSAN A. HILL,  
ANDREW G. CLARK,  
F. W. MINSHALL,  
MOSES SWEETSER,  
BARNA POWELL,  
WM. BENTLEY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this thirteenth day of August, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

#### MUTUAL BUILDING AND LOAN ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavit, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Mutual Building and Loan Association, for the purpose of raising money to be distributed among its members, and by such members used in buying lands or houses, or in building or repairing houses, or for paying and liquidating liens on houses and other real estate; which corporation shall keep its principal office or place of business at Charleston, Kanawha county, West Virginia, and is to expire on the thirtieth day of September, A. D. nineteen hundred and six. And for the purpose of forming said corporation, we have subscribed the sum of one thousand and forty dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred and four dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to the sum of five hundred and twenty thousand dollars in all. The capital so subscribed is divided into shares of one hundred and thirty dollars each, which are held by the undersigned respectively, as follows, that is to say:

By John E. Chamberlain, Charleston, W. Va., one share;  
By Jesse S. Savage, Charleston, W. Va., one share;  
By John S. McDonald, Charleston, W. Va., one share;  
By Robert T. Oney, Charleston, W. Va., one share;

By John T. Ross, Charleston, W. Va., one share;  
 By William M. Peyton, Charleston, W. Va., one share;  
 By Adam W. Long, Jackson, Ohio, one share;  
 By Samuel S. Green, Charleston, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount. But no stockholder shall own more than twenty shares of the capital stock thereof.

Given under our hands this thirtieth day of August, 1886.

JOHN E. CHAMBERLAIN,  
 JESSE S. SAVAGE,  
 JOHN S. McDONALD,  
 ROBERT T. ONEY,  
 JOHN T. ROSS,  
 WILLIAM M. PEYTON,  
 ADAM W. LONG,  
 SAMUEL S. GREEN.

Wherefore, the incorporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the thirtieth day of September, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this thirty-first day of August, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### THE WHEELING BASE BALL ASSOCIATION.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Wheeling Base Ball Association, for the purpose of leasing and purchasing land to be used as a base ball and bicycle park or place of public resort, amusement and entertainment and for the purpose of providing and furnishing in connection therewith base ball matches, bicycle races and amusements and entertainments of various kinds; and for the purpose of charging and receiving money for admission to such park and for such base ball matches, bicycle races, amusements and entertainments to be provided. Which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, and state of West Virginia, and is to expire on the 27th day of August, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and sixty dollars to the capital thereof, and have paid in on said subscriptions the sum of sixteen dollars,

and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to ten thousand dollars in all. The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned respectively as follows, that is to say :

By W. T. English, Wheeling, W. Va., 5 shares;

By G. T. Caddle, Wheeling, W. Va., 10 shares;

By R. C. Robinson, Wheeling, W. Va., 2 shares;

By W. B. Howell, Wheeling, W. Va., 10 shares;

By L. S. Delaplane, Jr., Wheeling, W. Va., 5 shares;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 27th day of August, 1886.

W. T. ENGLISH, (Seal.)

G. T. CADDLE, (Seal.)

R. C. ROBINSON, (Seal.)

W. S. HOWELL, (Seal.)

L. S. DELAPLANE, JR., (Seal.)

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-seventh day of August, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G S.] state, at the city of Charleston, this first day of September, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### THE BEAVER BOOM COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Beaver Boom Company," for the purpose of constructing, maintaining and operating one or more booms with or without piers, dam or dams, at or near the mouth of Beaver, a tributary of Black Water, at Davis, Tucker county, West Virginia, and at other places on said stream, which may be necessary for the purpose of stopping and securing or passing any or all logs, timber, lumber, cross-ties of any and all kinds, as granted by the laws of West Virginia, in establishing booms; which corporation shall keep its principal office or place of business at the town of Piedmont, West Virginia, and is to commence on the 1st day of October, 1886, and continue for the period of twenty-five years. And

for the purpose of forming said corporation, we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscription the sum of one hundred dollars, and desire the privilege of increasing the capital by the sale of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of twenty-five dollars each, which are held by the undersigned respectively as follows, that is to say:

By H. G. Davis, of Piedmont, W. Va., 19 shares;

By T. B. Davis, of Keyser, W. Va., 18 shares;

By G. W. Harrison, of Piedmont, W. Va., 1 share;

By Harry G. Buxton, of Piedmont, W. Va., 1 share;

By Wm. T. Blackiston, Piedmont, W. Va., 1 share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-third day of August, one thousand eight hundred and eighty-six.

H. G. DAVIS,  
T. B. DAVIS,  
G. W. HARRISON,  
HARRY G. BUNTON,  
WM. T. BLACKISTON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of October, nineteen hundred and eleven, a corporation by the name and for the purposes set forth in said agreement

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this first day of September, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

### THE GREENBRIER CREAMERY COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavit, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Greenbrier Creamery Company, for the purpose of manufacturing butter and other products of milk, which corporation shall keep its principal office or place of business at Lewisburg, in the county of Greenbrier, West Virginia, and is to expire on the first day of September, one thousand nine hundred and six. And for the purpose of forming the said corporation, we have subscribed the sum of five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one thousand dollars,

and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to fifteen thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say:

By John F. Estill, Lewisburg, W. Va., twenty shares;  
 By John A. Lutz, Lewisburg, W. Va., twenty shares;  
 By James G. Hudson, San Antonio, Texas, twenty shares;  
 By Wm. W. Fry, Augusta, Georgia, twenty shares;  
 By J. M. McWhorter, Lewisburg, W. Va., twenty shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this second day of August, one thousand eight hundred and eighty-six.

JOHN T. ESTILL,  
 JOHN A. LUTZ,  
 JAMES G. HUDSON,  
 By A. J. HUDSON,  
*his Attorney in fact.*  
 WM. W. FRY,  
 J. M. MCWHORTER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of September, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 2nd day of September, 1886.

HENRY S. WALKER,  
*Secretary of State.*

## OHIO AND WEST VIRGINIA OIL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Ohio and West Virginia Oil Company, for the purpose of mining, producing, transporting, and laying lines of pipes for the purpose of transporting petroleum oil and gas, refining, manufacturing and preparing the same and its products for market; buying and selling the same, and doing and transacting all business necessary and proper for the purposes aforesaid. Which corporation shall keep its principal office or place of business at the city of Parkersburg, Wood county, state of West Virginia, and is to expire on the fourteenth day of September, in the year nine hundred and six. And for the purpose of forming said corporation we

have subscribed the sum of five thousand dollars, and have paid in on said subscription the sum of one thousand dollars, and we desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one hundred thousand dollars in all. The capital so subscribed is divided into one hundred shares of fifty dollars each, which are held by the undersigned respectively as follows, that is to say:

By R. H. Thomas, of Wood county, W. Va., 46 shares;

By John A. Steele, of Wood county, W. Va., 46 shares;

By A. B. Barrett, of Wood county, W. Va., 5 shares;

By A. C. Robinson, of Wood county, W. Va., 2 shares;

By Geo. G. Stout, of Wood county, W. Va., 1 share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 14th day of September, 1886.

R. H. THOMAS,

JOHN A. STEELE,

A. B. BARRETT,

A. C. ROBINSON,

*By John A. Steele, Attorney in fact.*

GEO. G. STOUT.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the fourteenth day of September, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this sixteenth day of September, eighteen hundred and eighty-six.

HENRY S. WALKER,

*Secretary of State.*

### MILL CREEK BOOM AND LUMBER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Mill Creek Boom and Lumber Company, for the construction of booms and dams across Big Mill Creek, at or near its mouth, and between that point and the village of Cottageville, in Jackson county, West Virginia, for the purpose of stopping and securing boats, rafts, logs, masts, spars, staves, cross ties and any and all other timber that may be floated in said creek, or any of its tributaries, and for the purpose of buying and leasing timber lands and buying and selling all kinds of lumber, timber, staves; cross-ties. &c., by virtue of chapter one hundred and twenty-one of the

acts of the legislature of eighteen hundred and seventy-seven and the several acts amendatory thereof; which corporation shall keep its principal office or place of business at Ripley Landing, in said county, and shall commence on the first day of October, eighteen hundred and eighty-six, and expire on the first day of October, nineteen hundred and six. And for the purpose of forming said corporation, we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars and desire the privilege of increasing the said capital by the sale of additional shares from time to time to the sum of fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

A. C. Tidd, Murfreesville, W. Va., two shares;

J. F. Stone, Ravenswood, W. Va., two shares;

H. Douglass, Ripley Landing, W. Va., two shares;

Jno. H. Riley, Marietta, O., one share;

N. C. Prickett, Ravenswood, W. Va. one share;

Oscar Douglass, Cottageville, W. Va., two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 15th day of September, 1886.

A. C. TIDD,

J. F. STONE.

JOHN H. RILEY,

HIRAM DOUGLASS,

N. C. PRICKETT,

OSCAR DOUGLASS.

Wherefore, the incorporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of October, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-second day of September, eighteen hundred and eighty-six.

HENRY S. WALKER,

*Secretary of State.*

---

## GLADE LAUREL AND DRY FORKS AND CHEAT RIVER BOOM COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of



Glade Laurel and Dry Forks and Cheat River Boom Company, for the purpose of constructing, maintaining and operating one or more booms with or without piers, dam or dams on the Cheat river and its tributaries in the county of Tucker, state of West Virginia, at or near where the Red, Dry, Laurel and Glade forks empty into said Cheat river, in said county, for the purpose of stopping and securing, boats, rafts, logs, masts, spars, lumber and timber, and of exercising any and all of the privileges conferred upon boom companies by the act of the legislature of West Virginia, chapter 121, A. D., 1877, and the acts of said legislature amendatory thereto, chapter 39, A. D., 1881, chapter 12, A. D., 1882, and chapter 27, A. D., 1883, and chapter 25, A. D., 1885. This corporation shall keep its principal office or place of business at Shaw's Mills, in the county of Tucker and state of West Virginia, said corporation shall commence on the eleventh day of September, A. D., 1886, and expire on the first day of May, A. D., 1906. And for the purpose of forming said corporation we have subscribed the sum of \$250 to the capital stock thereof, and have paid in on said subscription the sum of \$25, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to the sum of \$50,000 in all. The capital so subscribed is divided into shares of \$50 each, which are held by the undersigned, respectively, that is to say:

By M. A. Shaw, of Towanda, Penn., 1 share;

By W. S. Simpson, of Towanda, Penn., 1 share,

By E. T. Fox, of Towanda, Penn., 1 share;

By N. N. Betts, of Towanda, Penn., 1 share;

By G. W. Buck, of Towanda, Penn., 1 share.

And the capital hereafter to be sold, is to be divided into shares of the like amount.

Given under our hands this 9th day of September, A. D., 1886.

M. A. SHAW,  
W. S. SIMPSON,  
E. F. FOX,  
N. N. BETTS,  
GEO. W. BUCK.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of May, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this twenty-third day of September, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE BANK OF KINGWOOD.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned hereby agree to become a corporation by the name of "The Bank of Kingwood," for the purpose of carrying on the banking business, as a bank of issue and circulation, of discount and deposit, and such other business as may be done under the law of West Virginia, relating to banks and banking associations, which corporation shall keep its principal office or place of business at the town of Kingwood, in the county of Preston, West Virginia, and is to expire in twenty years from date of certificate of incorporation. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and twenty-five thousand dollars to the capital stock thereof, and have paid in on said subscriptions the entire sum of one hundred and twenty-five thousand dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to five hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Smith Crane, Kingwood, W. Va., 40 shares;  
 By John M. Crane, Kingwood, W. Va. 40 shares;  
 By Frances Herrmans, Kingwood, W. Va., 120 shares;  
 By Charles McBishop, Kingwood, W. Va., 87 shares;  
 By William G. Brown, Kingwood, W. Va., 263 shares;  
 By James H. Carroll, Kingwood, W. Va., 30 shares;  
 By James W. Parks, Kingwood, W. Va., 20 shares;  
 By Julia E. Byrne, Kingwood, W. Va., 10 shares;  
 By M. Ella Morris, Kingwood, W. Va. fifteen shares;  
 By Marcellus H. Murdock, Kingwood, W. Va., 25 shares;  
 By John S. Murdock, Kingwood, W. Va., 13 shares;  
 By Samuel Snider, Kingwood, W. Va., 25 shares;  
 By James H. Manown, Weston, W. Va., 10 shares;  
 By Louisa Stone, Kingwood, W. Va., 16 shares;  
 By Martin L. Shaffer, Tunnelton, W. Va., 40 shares;  
 By Samuel McGrew, Brandonville, W. Va., 5 shares;  
 By James C. McGrew, Kingwood, W. Va., 491 shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 3d day of September, 1886.

SMITH CRANE,  
 JOHN M. CRANE,  
 FRANCES HEERMANS,  
 CHARLES M. BISHOP,  
 WM. G. BROWN,  
 JAS. W. CARROLL,  
 JAMES W. PARKS,

M. ELLIE MORRIS,  
 JULIA E. BYRNE,  
 M. H. MURDOCK,  
 JOHN S. MURDOCK,  
 SAMUEL SNIDER,  
 JAMES H. MANOWN,  
 By J. C. MCGREW,  
*his Attorney.*

LOUISA STONE,  
 M. L. SHAFFER,  
 SAMUEL MCGREW,  
 JAMES C. MCGREW.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-ninth day of September, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-ninth day of September, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### INTERIOR COAL AND TIMBER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Interior Coal and Timber Company, for the purpose of owning, buying, selling and leasing timber, coal, mineral and agricultural lands in West Virginia, Kentucky, New Mexico and elsewhere, and to sell stumpage, timber and lumber, and manufacture the same; to sell coal in the ground; to mine and ship the same; to build and own roads and tramways, rafts and boats, and operate the same; breeding, raising, buying and selling horses, cattle and other stock. Which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, in the state of West Virginia, and is to expire on the eighteenth day of September, nineteen hundred and thirty-five. And for the purpose of forming the said corporation, we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscription the sum of one hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to five hundred thousand dollars (\$500,000) in all. The capital so subscribed is divided

into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say :

- By George B. Hibbard, New York, two shares ;
- By Herman Kobbe, New York, two shares ;
- By Daniel W. Sisson, Brooklyn, N. Y., two shares ;
- By Seymour P. Thomas, New York, two shares ;
- By Edward M. Hussey, New York, two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 30th day of September, A. D. 1886.

GEO. P. HIBBARD,  
HERMAN KOBBE,  
DANIEL W. SISSON,  
SEYMOUR P. THOMAS,  
EDWARD M. HUSSEY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the eighteenth day of September, nine een hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this fourth day of October, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE BANK OF PIEDMONT.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Bank of Piedmont, for the purpose of carrying on the business of banking by discounting promissory notes, negotiating drafts, bills of exchange, and other evidences of indebtedness by receiving deposits, buying and selling exchange bank notes, bullion or coin by loaning money on personal or other security and for all the usual financial business transacted by banks other than those of issue ; which corporation shall keep its office or principal place of business at the town of Piedmont, in the county of Mineral, West Virginia, and is to expire on the first day of October, nineteen hundred and six.

And for the purpose of forming the said corporation we have subscribed the sum of fifty thousand dollars to the capital stock thereof and have paid in upon said subscription the sum of five thousand dollars (\$5,000.00), and desire the privilege of increasing the said cap-

ital by the sale of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

H. G. Davis & Bro., Piedmont, 150 shares;  
 H. G. Davis, Piedmont, 100 shares;  
 T. B. Davis, Keyser, 110 shares;  
 Mary H. Davis, Piedmont, 30 shares;  
 Kate A. Davis, Piedmont, 10 shares;  
 Kate D. Brown, Piedmont, 10 shares;  
 S. B. Elkins, Davis, W. Va., 10 shares;  
 Hattie D. Elkins, Davis, W. Va., 10 shares;  
 Grace L. Davis, Piedmont, 10 shares;  
 Harry G. Buxton, Piedmont, 5 shares;  
 A. F. Gerstell, Jr., Piedmont, 5 shares;  
 W. B. McCandlish, Piedmont, 25 shares;  
 J. S. Jameson, Westernport, Md., 25 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

These articles are to enable us to avail ourselves of an act entitled "An act to provide for the incorporation of banks of discount and deposit," passed December 26, 1873.

Given under hands and seals this 6th day of October, 1886.

H. G. DAVIS & BRO.,	[Seal.]
H. G. DAVIS,	[Seal.]
T. B. DAVIS,	[Seal.]
MARY H. DAVIS,	[Seal.]
KATE A. DAVIS.	[Seal.]
KATE D. BROWN,	[Seal.]
S. B. ELKINS,	[Seal.]
HATTIE D. ELKINS,	[Seal.]
GRACE L. DAVIS,	[Seal.]
HARRY G. BUXTON,	[Seal.]
A. F. GERSTELL, JR.,	[Seal.]
W. B. MCCANDLISH,	[Seal.]
J. S. JAMESON,	[Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of October, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twelfth day of October, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

KEYSER, MOOREFIELD AND SOUTHWESTERN VIRGINIA  
RAILROAD COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation, duly signed and acknowledged, have this day been recorded in my office, which articles of incorporation, are in the words and figures following:

We, whose names are hereto subscribed, desiring to become a corporation for the purpose of constructing and operating a railroad in the state of West Virginia, do hereby adopt these articles of incorporation for that purpose:

First—The name of the corporation shall be the Keyser, Moorefield and Southwestern Virginia Railroad Company.

Second—The railroad which this corporation propose to build, will commence at or near a point on the West Virginia state line, near the town of Keyser, in the county of Mineral, West Virginia, and run thence by the most practicable route, through the counties of Mineral, Hampshire and Hardy, to the town of Moorefield, in the county of Hardy.

Third—The principal business office of this corporation will be at the town of Moorefield, in the county of Hardy, in the state of West Virginia.

Fourth—This corporation shall continue perpetually.

Fifth—The capital stock of this company shall be one hundred thousand dollars, divided into shares of fifty dollars each.

Sixth—The names and places of residence of the persons forming this corporation, and the number of shares of stock subscribed by each, are as follows:

- By W. A. Engeman, of Brooklyn, N. Y., 20 shares;
- By Jas. S. Whiting, of Moorefield, W. Va., 2 shares;
- By S. A. McMechen, of Moorefield, W. Va., 5 shares;
- By John J. Chipley, of Moorefield, W. Va., 1 share;
- By Wm. Wirt Harness, of Moorefield, W. Va., 2 shares;
- By Jno. T. Vanmeter, of Moorefield, W. Va., 2 shares;
- By A. M. Inskip, of Moorefield, W. Va., 20 shares;
- By Geo. Fox, of Moorefield, W. Va., 2 shares;
- By Joseph Sprigg, of Moorefield, W. Va., 1 share;
- By Geo. H. Carpenter, of Moorefield, W. Va., 1 share;
- By John Daniels, of Moorefield, W. Va., 2 shares;
- By J. Wm. Gilkeson, of Moorefield, W. Va., 2 shares;
- By Adam Fisher, of Moorefield, W. Va., 3 shares;
- By Jos. I. Cunningham, of Moorefield, W. Va., 2 shares;
- By John M. Chambers, of Moorefield, W. Va., 1 share;
- By John W. Dufley, of Moorefield, W. Va., 4 shares;
- By H. S. Carr, of Moorefield, W. Va., 1 share.

Witness our hands and seals, October 5th, 1886.

J. S. WHITING,  
S. A. McMECHEN,  
JOHN J. CHIPLEY,

WM. WIRT HARNESS,  
 W. A. ENGEMAN,  
 J. T. VANMETER,  
 A. M. INSKEEP,  
 GEO. FOX,  
 JOSEPH SPRIGG,  
 GEO. H. CARPENTER,  
 JOHN DANIELS,  
 J. WM. GILKESON,  
 ADAM FISHER,  
 JOS. I. CUNNINGHAM,  
 JOHN W. CHAMBERS,  
 J. W. DUFFEY,  
 H. S. CARR.

Wherefore, the corporators named in said articles of incorporation, and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name, for the purpose and for the length of time set forth in said articles of incorporation.

Given under my hand and the great seal of the said [G. S.] state, at the seat of government thereof, this fourteenth day of October, 1886.

HENRY S. WALKER,  
*Secretary of State.*

### ELM GROVE OIL AND GAS COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Elm Grove Oil and Gas Company, for the purpose of boring for and producing carbon oil or petroleum, natural gas or other volatile substances, transporting the same by means of pipes or other wise, and selling the same to, or supplying them to others, and doing and transacting all business necessary and proper for the purposes aforesaid; which corporation shall keep its principal office or place of business at Elm Grove, Ohio county, West Virginia, and is to expire on the first day of October, A. D. nineteen hundred and thirty six. And for the purpose of forming the said corporation, we have subscribed the sum of one thousand dollars, and have paid in on said subscriptions the sum of one hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to two hundred thousand dollars in all. The capital so subscribed is divided into

shares of fifty dollars each, which are held by the undersigned respectively, as follows:

By D. S. Thornburgh, one share;  
 By H. M. Hervey, one share;  
 By W. T. Chambers, one share;  
 By W. H. Waddle, one share;  
 By W. J. W. Cowden, one share;  
 By John H. Storer, one share;  
 By Wm. J. Brown, one share;  
 By Wm. H. Hearn, one share;  
 By R. W. Hazlett, one share;  
 By I. F. Jones, one share;  
 By J. N. Vance, one share;  
 By Allen Davis, one share;  
 By S. B. Chambers, one share;  
 By E. M. Atkinson, one share;  
 By N. B. Scott, one share;  
 By J. W. Davis, one share;  
 By J. W. Brown, one share,  
 By W. S. Elliott, one share;  
 By N. Schrader, one share;  
 By S. C. Patterson, one share;

All of Ohio county, state of West Virginia.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 15th day of October, A. D. 1886.

D. S. THORNBURGH,  
 H. M. HERVEY,  
 WM. T. CHAMBERS,  
 W. H. WADDLE,  
 W. J. W. COWDEN,  
 JOHN H. STORER,  
 WM. J. BROWN,  
 WM. H. HEARNE,  
 R. W. HAZLETT,  
 I. F. JONES,  
 J. N. VANCE,  
 ALLEN DAVIS,  
 S. B. CHAMBERS,  
 E. M. ATKINSON,  
 N. B. SCOTT,  
 J. W. DAVIS,  
 J. W. BROWN,  
 W. S. ELLIOTT,  
 N. SCHRADER,  
 S. C. PATTERSON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of Octo-



ber, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-second day of October, 1886.

HENRY S. WALKER,  
*Secretary of State.*

### CUMBERLAND, MOOREFIELD AND SOUTH-WESTERN VIRGINIA RAILROAD COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation, duly signed and acknowledged, have this day been recorded in my office, which articles of incorporation are in the words and figures following:

We, whose names are hereto subscribed, desiring to become a corporation for the purpose of constructing and operating a railroad in the state of West Virginia, do hereby adopt these articles of incorporation for that purpose:

First—The name of the corporation shall be the Cumberland, Moorefield and South Western Virginia Railroad Company.

Second—The railroad which this corporation propose to build, will commence at or near a point on the West Virginia line, near the city of Cumberland, state of Maryland, and run thence by the most practicable route, through the counties of Mineral, Hampshire and Hardy, to the town of Moorefield, in the county of Hardy.

Third—The principal business office of this corporation will be at the town of Moorefield, in the county of Hardy, in the state of West Virginia.

Fourth—This corporation shall continue perpetually.

Fifth—The capital stock of this company shall be one hundred thousand dollars, divided into shares of fifty dollars each.

Sixth—The names and places of residence of the persons forming this corporation, and the number of shares of stock subscribed by each, are as follows:

- By A. M. Inskeep, of Moorefield, W. Va., 20 shares;
- By J. W. Duffey, of Moorefield, W. Va., 4 shares;
- By S. A. McMechen, of Moorefield, W. Va., 5 shares;
- By Geo. Fox, of Moorefield, W. Va., 2 shares;
- By J. Wm. Gilkeson, of Moorefield, W. Va., 2 shares;
- By J. S. Whiting, of Moorefield, W. Va., 2 shares;
- By John J. Chipley, of Moorefield, W. Va., 1 share;
- By Wm. Wirt Harness, of Moorefield, W. Va., 2 shares;
- By Adam Fisher, of Moorefield, W. Va., 3 shares;
- By H. S. Carr, of Moorefield, W. Va., 1 share;
- By W. A. Engeman, of Brooklyn, N. Y., 20 shares;
- By Jno. W. Chambers, of Moorefield, W. Va., 1 share;

By Jos. I. Cunningham, of Moorefield, W. Va., 2 shares ;  
 By Geo. H. Carpenter, of Moorefield, W. Va., 1 share ;  
 By John Daniels, of Moorefield, W. Va., 2 shares ;  
 By J. T. VanMeter, of Moorefield, W. Va., 2 shares ;  
 By Joseph Sprigg, of Moorefield, W. Va., 2 shares ;  
 By Geo. H. Carpenter, of Moorefield, W. Va., 1 share.

Witness the following signatures and seals, October 5th, 1886 :

J. S. WHITING,	[Seal.]
S. A. McMECHEN,	[Seal.]
JOHN J. CHIPLEY,	[Seal.]
WM. WIRT HARNES,	[Seal.]
W. A. ENGEMAN,	[Seal.]
J. T. VANMETER,	[Seal.]
A. M. INSKEEP,	[Seal.]
GEO. FOX,	[Seal.]
JOSEPH SPRIGG,	[Seal.]
GEO. H. CARPENTER,	[Seal.]
JOHN DANIELS,	[Seal.]
J. WM. GILKESON,	[Seal.]
ADAM FISHER,	[Seal.]
JOS. I. CUNNINGHAM,	[Seal.]
JOHN W. CHAMBERS,	[Seal.]
J. W. DUFFEY,	[Seal.]
H. S. CARR,	[Seal.]

Wherefore, the corporators named in the said articles of incorporation and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name, for the purpose and for the length of time set forth in said articles of incorporation.

Given under my hand and the great seal of the said state [G. S.] at the seat of government thereof, this twenty-seventh day of October, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

## THE PARKERSBURG ELECTRIC LIGHT AND POWER COMPANY.

I, Henry S. Walker, secretary of state, of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Parkersburg Electric Light and Power Company, for the purpose of carrying on the business of supplying light, heat and power by means of electricity, to the public of the city of Parkersburg,

state of West Virginia, and to such persons, partnerships and corporations residing therein, or adjacent thereto, as may desire the same, with the right to erect, construct, furnish and maintain necessary machinery, fixtures and appurtenances therefor; to purchase and hold patents pertaining thereto, together with such real estate and personal estate as may be necessary to the carrying on of and to do all things incident to the business. Which corporation shall keep its principal office or place of business at Parkersburg, West Virginia, and is to expire on the first day of November, in the year nineteen hundred and thirty-six. And for the purpose of forming said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing said capital, by the sale of additional shares from time to time to thirty thousand dollars in all. The capital so subscribed is divided into shares of twenty-five dollars each, which are held by the undersigned respectively as follows :

D. R. Cook, Parkersburg, W. Va., 4 shares ;  
 George E. Milligan, Parkersburg, W. Va., 4 shares ;  
 M. C. Van Winkle, Parkersburg, W. Va., 1 share ;  
 Joe Kellar, Parkersburg, W. Va., 1 share ;  
 W. W. Van Winkle, Parkersburg, W. Va., 2 shares ;  
 L. A. Cole, Parkersburg, W. Va., 2 shares ;  
 Henry Kellar, Parkersburg, W. Va., 1 share ;  
 E. P. Chancellor, Jr., Parkersburg, W. Va., 1 share ;  
 J. L. Sorrell, Parkersburg, W. Va., 1 share ;  
 S. S. Cook, Parkersburg, W. Va., 1 share ;  
 D. R. Neal, Parkersburg, W. Va., 1 share ;  
 W. H. Wolfe, Parkersburg, W. Va., 1 share.

And the capital hereafter sold is to be divided into shares of the like amount.

Given under our hands this first day of November, A. D. 1886.

GEO. E. MILLIGAN,  
 W. W. VAN WINKLE,  
 D. R. COOK,  
 L. A. COLE,  
 D. R. NEAL,  
 J. L. SORRELL,  
 H. KELLAR,  
 W. H. WOLFE,  
 E. P. CHANCELLOR, JR.  
 JOE. KELLAR,  
 S. S. COOK,  
 M. C. VAN WINKLE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of November, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said

{G. S.] state, at the city of Charleston, this fourth day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE SOUTHERN TELEPHONE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Southern Telephone Company," for the purpose of constructing and maintaining electro magnetic and other telegraph and telephone lines both under ground and overhead, and dealing in telephones and other electrical instruments and all telephonic and other electrical supplies and carrying on any business properly pertaining thereto, which corporation shall keep its principal office or place of business at Charlestown, in the county of Jefferson, West Virginia, and is to expire on the fourth day of November, nineteen hundred and thirty-six. And for the purpose of forming the said corporation we have subscribed the sum of three hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of thirty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one million dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Bushrod C. Washington, Charlestown, Jefferson county, W. Va., 1 share;

By R. P. Chew, Charlestown, Jefferson county, W. Va., 1 share;

By T. W. Tyrer, Washington, D. C., 1 share;

By Frank Beckwith, Charlestown, Jefferson county, W. Va., 1 share;

By E. L. Miller, Frederick City, Maryland, 1 share;

By Forrest W. Brown, Charlestown, Jefferson county, W. Va., 1 share;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 3d day of November, 1886.

B. C. WASHINGTON,  
R. P. CHEW,  
T. W. TYRER,  
FRANK BECKWITH,  
E. L. MILLER,  
FORREST W. BROWN.

Wherefore, the corporators named in the said agreement, and

who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the fourth day of November, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 6th day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE SHENANDOAH PULP COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Shenandoah Pulp Company for the purpose of the manufacture of wood pulp and paper and for the transaction of business incident thereto, which corporation shall keep its principal office or place of business at Harper's Ferry, in the county of Jefferson, and is to expire on the first day of November, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of five hundred dollars and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to one hundred thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each which are held by the undersigned, respectively, as follows, to-wit:

By Thomas H. Savery, Wilmington, Del., 20 shares;

By William Luke, Wilmington, Del., 20 shares;

By Thomas S. Bellah, Wilmington, Del., 20 shares;

By John F. Quigley, Wilmington, Del., 20 shares;

By M. M. Armstrong, Philadelphia Penn., 20 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 30th day of October, 1886.

THOS. H. SAVERY,  
WILLIAM LUKE,  
THOS. S. BELLAH,  
JOHN S. QUIGLEY,  
MEYLERT M. ARMSTRONG.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of November, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this tenth day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE HARPER'S FERRY PAPER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Harper's Ferry Paper Company, for the purpose of the manufacture of wood pulp and paper, and for the transaction of business incident thereto; which corporation shall keep its principal office or place of business at Harper's Ferry, in the county of Jefferson, and is to expire on the 1st day of November, 1936. And for the purpose of forming the said corporation we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to two hundred and fifty thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say :

By Thomas H. Savery, Wilmington, Del., two shares;

By William Luke, Wilmington, Del., two shares;

By Thomas S. Bellah, Wilmington, Del., two shares;

By John F. Quigley, Wilmington, Del., two shares;

By M. M. Armstrong, Wilmington, Del., two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 30th day of October, 1886.

THOMAS H. SAVERY,  
WM. LUKE,  
THOMAS S. BELLAH,  
JOHN F. QUIGLEY,  
MEYLERT M. ARMSTRONG.

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of November, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said

[G. S.] state, at the city of Charleston, this 10th day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE GREAT KANAWHA COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Great Kanawha Company, for the purpose of purchasing, holding, leasing and possessing real estate and mining the coal and other minerals therein, and manufacturing the same, and cutting the timber thereon and sawing and manufacturing the same, and quarrying stone therein and working the same, and digging and taking earth, clay or sand therefrom and manufacturing the same, and boring for salt and brine therein and manufacturing the same, and boring for petroleum and rock oil therein and refining and manufacturing the same, and for boring for natural gas and other valuable substances and fluids therein, and manufacturing the same, and for producing, manufacturing, dealing in, transporting, storing, supplying, buying and selling, for light, heat or both, or for any other purposes, any of the aforesaid valuable substances, gases and fluids, to or from persons, corporations and associations or others. And for the constructing, laying and operating pipe lines for the transportation of petroleum, rock oil, water, brine, gas, natural gas, or other fluids. And for doing a general mercantile business; and all such other business and trade in relation to any of the aforesaid purposes as a partnership might do. And for leasing the said lands to others for any of the above named purposes. Which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, state of West Virginia, and is to expire at noon, 12 o'clock, the first day of September, 1936. And for the purpose of forming the said corporation we have subscribed the sum of two hundred and fifty dollars, (\$250), to the capital thereof and have paid in on the said subscription the sum of two hundred and fifty dollars. (\$250), and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to one million dollars in all. The capital so subscribed is divided into shares of fifty dollars each which are held by the undersigned, respectively, as follows, to-wit:

- By K. L. Edwards, Coalburgh, W. Va., one share;
- By W. H. Edwards, Coalburgh, W. Va., one share;
- By A. E. Smith, Cincinnati, O., one share;
- By W. D. Smith, Cincinnati, O., one share;
- By Neil Robinson, Coalburgh, W. Va., one share.

And the capital to be hereafter sold is divided into shares of like amount.

Given under our hands this tenth day of September, 1886.

W. M. H. EDWARDS,	[Seal.]
K. L. EDWARDS,	[Seal.]
NEIL ROBINSON,	[Seal.]
WEBSTER D. SMITH,	[Seal.]
A. E. SMITH,	[Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of September, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S ] Given under my hand and the great seal of the said state at the city of Charleston, this sixteenth day of November, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

---

### ECONOMY SOAP COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Economy Soap Company, for the purpose of buying and selling and trading in all materials such as oils, grease, &c., used in the manufacture of soap and manufacturing the same into all kinds of soap and trading and selling in such manufactories; and engaging in and carrying on a general merchandise business; to buy, lease, rent and hold real estate necessary to carry on said business, and to do and transact all business necessary and proper for the purposes aforesaid; which corporation shall keep its principal office or place of business at Point Pleasant, county of Mason and state of West Virginia, and is to expire on the 1st day of September, 1906. And for the purpose of forming said corporation, we have subscribed the sum of two thousand five hundred dollars (\$2,500), to the capital thereof, and have paid in on said subscription the sum of one thousand five hundred dollars (\$1,500) and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to fifty thousand dollars (\$50,000) in all. The capital so subscribed is divided into shares of fifty dollars (\$50) each, which are held by the undersigned, respectively, as follows, that is to say:

By W. H. Ramp, of Parkersburg, W. Va., 30 shares;

By A. M. Ramp, of Parkersburg, W. Va., 10 shares;



By J. J. Bright, of Pt. Pleasant W. Va., 2 shares;

By E. S. Hawe, of Parkersburg, W. Va., 4 shares;

By C. Sehon, of Point Pleasant, W. Va., 2 shares;

By E. Sehon, of Point Pleasant, W. Va., 2 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 30th day of October, 1886.

W. H. RAMP, [Seal.]

J. J. BRIGHT, [Seal.]

E. S. HOWE, [Seal.]

C. SEHON, [Seal.]

E. SEHON, [Seal.]

A. M. RAMP. [Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of September, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this nineteenth day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### KANAWHA ELECTRIC LIGHT COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Kanawha Electric Light Company," for the purpose of manufacturing, generating and collecting electricity, and for distributing, transmitting, selling and disposing of the same and for lighting streets, roads, ways, parks and fields, and for lighting dwelling houses, stores, shops and other buildings, public and private, and for heating purposes and all other purposes for which electricity may be used. And for the purpose of erecting suitable buildings and machinery and for erecting poles, wires and other appliances necessary for the uses and purposes aforesaid, and also for the purpose of selling with or without such electricity, apparatus and fixtures and machinery, that may be necessary to use said electricity and light and heat therefrom. Which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, and state of West Virginia, and is to expire on the 31st of December, 1935. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and twenty-five dollars to the capital thereof, and have paid in on said

subscriptions the sum of one hundred and twenty-five dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to fifty thousand dollars in all. The capital so subscribed is divided into shares of twenty-five dollars each, which are held by the undersigned respectively, as follows, that is to say.

By O. H. Michaelson, Charleston, W. Va., one share;

By J. W. Parrish, Malden, W. Va., one share;

By R. B. C. Bement, Charleston, W. Va. one share;

By W. S. Laidley, Charleston, W. Va., one share;

By J. N. Carnes, Charleston, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 20th day of November, 1884.

O. H. MICHAELSON,

J. W. PARRISH,

W. S. LAIDLLEY,

J. N. CARNES,

R. B. C. BEMENT.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the thirty-first day of December, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twentieth day of November, eighteen hundred and eighty-five.

HENRY S. WALKER,

*Secretary of State.*

---

## POINT PLEASANT AND HUNTINGTON RAILROAD COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that articles of incorporation, duly signed and acknowledged, have this day been recorded in my office, which articles of incorporation are in the words and figures following:

We whose names are hereto subscribed desiring to become a corporation for the purpose of constructing and operating a railroad in the state of West Virginia, do hereby adopt these articles of incorporation for that purpose:

First. The name of the corporation shall be the Point Pleasant and Huntington Railroad Company.

Second. The railroad which this corporation propose to build will commence at or near Point Pleasant, in the county of Mason, and run thence by the most practicable route to a point at or near Huntington, in the county of Cabell.

Third. The principal business office of this corporation will be at Parkersburg, in the county of Wood, in the state of West Virginia.

Fourth. This corporation shall continue perpetually.

Fifth. The capital stock of this company shall be one million dollars divided into shares of one hundred dollars each.

Sixth. The names and places of residence of the persons forming this corporation and the number of shares of stock subscribed by each are as follows :

John P. Ilsley, city of Philadelphia, state of Pennsylvania, ten shares ;

Joseph B. Neal, city of Parkersburg, state of West Virginia, one share ;

J. A. Fickinger, city of Parkersburg, state of West Virginia, ten shares ;

Geo. W. Thompson, city of Parkersburg, state of West Virginia, ten shares ;

J. N. Camden, city of Parkersburg, state of West Virginia, ten shares.

Given under our hands this 17th day of November, 1886.

JOHN P. ILSLEY,  
JOS. B. NEAL,  
J. A. FICKINGER,  
GEO. W. THOMPSON,  
J. N. CAMDEN.

Wherefore, the corporators named in said articles of incorporation, and who have signed the same, and their successors and assigns, are hereby declared to be a corporation by the name, for the purpose and for the length of time set forth in said articles of incorporation.

Given under my hand and the great seal of the said [G. S.] state, at the seat of government, this twenty-second day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE HUNTINGTON CO-OPERATIVE SOCIETY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Huntington Co-operative Society," for the purpose of operating and conducting a general merchandising business, the buying and selling of produce, provisions, groceries, dry goods, hardware and all kinds of merchandise; also the manufacturing of articles of general household utility, or for the purposes of trade. Which corporation shall keep its principal office or place of business at

Huntington, in the county of Cabell, state of West Virginia, and is to expire on the 1st day of January, 1935. And for the purpose of forming the said corporation, we have subscribed the sum of eighty-five dollars to the capital thereof, and have paid in on said subscriptions the sum of eight dollars and fifty cents; and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to fifty thousand dollars in all. The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned respectively as follows, that is to say:

By John Chambers, Huntington, 3 shares;  
 By John B. Morris, Huntington, 3 shares;  
 By J. F. Michaels, Huntington, 2 shares;  
 By A. Badgley, Huntington, 2 shares;  
 By M. T. Mathews, Huntington, 2 shares;  
 By E. J. Davies, Huntington, 2 shares;  
 By James Mills, Huntington, three shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 20th day of November, 1886.

JOHN CHAMBERS,  
 JNO. B. NORRIS, JR.,  
 J. F. MICHAEL,  
 A. BADGLEY,  
 M. T. MATHEWS,  
 EVAN J. DAVIES.  
 JAS. MILLS.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this 30th day of November, 1886.

HENRY S. WALKER,  
*Secretary of State.*

---

### THE ROCK RUN OIL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Rock Run Oil Company, for the purpose of boring oil wells, producing, buying and selling oil, gas, coal and other minerals,

transporting, storing, refining and manufacturing oils, erecting dwelling and store houses and carrying on general merchandising; which corporation shall keep its principal office or place of business at Parkersburg, in the county of Wood, and state of West Virginia, and is to expire on the first day of July, A. D. 1936. And for the purpose of forming the said corporation, we have subscribed the sum of two hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred and twenty-five dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to three hundred thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By S. P. Wells, one share; by Jas. A. Wetherell, one share; by W. J. Keever, one share; by R. J. A. Boreman, one share; by E. C. Gerwig, one share, each and all of said incorporators being residents of the city of Parkersburg, in said Wood county.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this 17th day of November, A. D. 1886.

S. P. WELLS,  
R. J. A. BOREMAN,  
W. J. KEEVER,  
E. C. GERWIG,  
JAS. A. WETHERELL,

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of July, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state at the city of Charleston, this first day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### KANAWHA VALLEY PUBLISHING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Kanawha Valley Publishing Company, for the purpose of printing and publishing a newspaper, carrying on a general publishing, printing and binding business, acquiring and holding such real or personal property as may be deemed necessary for use of said corporation, and doing all things incidental to said business.

Which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha and state of West Virginia, and is to expire on the 1st of November, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of three hundred and seventy-five dollars to the capital thereof, and have paid in on said subscriptions the sum of thirty-seven dollars and fifty cents, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to fifty thousand dollars in all. The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned respectively, as follows, that is to say:

By W. J. Spruce, Charleston, W. Va., thirty shares;  
 By J. S. Atkinson, Charleston, W. Va., five shares;  
 By Willis C. Hall, Charleston, W. Va., five shares;  
 By M. J. O'Brien, Charleston, W. Va., ten shares;  
 By John R. Foster, Charleston, W. Va., five shares;  
 By John A. Howard, Wheeling, W. Va., five shares;  
 By H. J. Wynne, Charleston, W. Va., two shares;  
 By A. A. Lee, Charleston, W. Va., two shares;  
 By Wm. E. Hindman, Charleston, W. Va., two shares;  
 By Steele A. Hawkins, Charleston, W. Va., two shares;  
 By John C. Neale, Charleston, W. Va., two shares;  
 By John W. Dudley, Charleston, W. Va., two shares;  
 By W. P. Campbell, Charleston, W. Va., one share;  
 By Frederick Carel, St. Albans, W. Va., two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 1st day of December, 1886.

W. J. SPRUCE,  
 WILLIS C. HALL,  
 M. J. O'BRIEN,  
 JOHN A. HOWARD,  
 H. J. WYNNE,  
 A. A. LEE,  
 W. E. HINDMAN,  
 JOHN C. NEALE,  
 STEELE A. HAWKINS,  
 W. P. CAMPBELL,  
 FREDERICK CAREL,  
 JAS. S. ATKINSON,  
 JOHN R. FOSTER,  
 JOHN W. DUDLEY.

Wherefore, the incorporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of November, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said

[G. S.] state, at the city of Charleston, this second day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE WAYNE COUNTY PUBLISHING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Wayne County Publishing Company, for the purpose of publishing and conducting a newspaper at Wayne Court House, West Virginia, and doing a general printing and publishing business; which corporation shall keep its principal office or place of business at Wayne Court House, Wayne county, West Virginia, and is to expire on the 1st day of December, 1906. And for the purpose of forming the said corporation, we have subscribed the sum of twelve hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of twelve hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to ten thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively, as follows, that is to say:

By H. F. Bower, Bowen P. O., W. Va., twelve shares;

By C. F. Smith, Ft. Gay P. O., W. Va., twelve shares;

By Lace Marcum, Ft. Gay P. O., W. Va., twelve shares;

By John S. Marcum, Wayne C. H., W. Va., twelve shares;

By W. L. Mansfield, Wayne C. H., W. Va., forty eight shares;

By Z. T. Vinson, Huntington, W. Va., twenty four shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 2nd day of December, 1886.

H. F. BOWEN,  
C. F. SMITH,  
LACE MARCUM,  
JOHN S. MARCUM,  
W. L. MANSFIELD,  
Z. T. VINSON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of December, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said

[G. S.] state, at the city of Charleston, this fourth day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### WEST VIRGINIA MIDLAND RAILWAY COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that A. G. Hatry, President of the West Virginia Midland Railway Company, a corporation created under the laws of the state of West Virginia, has certified to me under his hand and the corporate seal of said company that at a general meeting of the stock holders thereof, the following resolution was adopted :

*Resolved*, That the stock holders of the West Virginia Midland Railway Company (formerly known as the Iron Valley and Morgantown Railroad Company) hereby declare that they desire the name of said corporation to be changed to that of West Virginia Railroad and that said corporation shall hereafter and so soon as the necessary steps can be taken, be known and called by said name.

Wherefore, I do declare said change of name to the West Virginia Railroad to be authorized by law.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 6th day of December, 1886.

HENRY S. WALKER,  
*Secretary of State.*

---

### THE MONTANA COAL AND COKE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Montana Coal and Coke Company, for the purpose of mining, transporting and selling coal, and the products thereof, and of manufacturing, transporting and selling coke and of acquiring coal and coal lands and coal mines and operating the same and disposing thereof; which corporation shall keep its principal office or place of business at Fairmont, in the county of Marion, state of West Virginia, and is to expire on the first day of January, one thousand, nine hundred and thirty. And for the purpose of forming the said corporation, we have subscribed the sum of one thousand dollars, and have paid in on said subscription the sum of one hundred dollars, and desire the privilege of increas-



ing said capital by the sale of additional shares from time to time to five hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the under-signed respectively as follows, that is to say .

A. B. Fleming, of Fairmont, W. Va., one share ;

C. B. Carney, of Fairmont, W. Va., one share ;

James O. Watson, of Fairmont, W. Va., one share ;

James Ed. Watson, of Fairmont, W. Va., one share ;

Sylvanus L. Watson, of Fairmont, W. Va., one share ;

William L. Hearn, of Wheeling, W. Va., one share ;

J. Nelson Vance, of Wheeling, W. Va., one share ;

John J. Jones, of Wheeling, W. Va., one share ;

James Boyce, of Baltimore, Md., one share ;

James Morrow, Jr., of Fairmont, W. Va., one share ;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 26th day of November, in the year one thousand, eight hundred and eighty-six.

A. B. FLEMING,  
 JAMES MOBROW, JR.,  
 JAMES O. WATSON,  
 C. B. CARNEY,  
 S. L. WATSON,  
 J. E. WATSON,  
 J. NELSON VANCE,  
 WM. L. HEARN,  
 JOHN J. JONES,  
 JAMES BOYCE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, nineteen hundred and thirty, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this eighth day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### ARMSTRONG COAL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Armstrong Coal Company," for the purpose of owning, leasing and operating coal and other mineral lands ; mining, shipping and vending coal and other minerals, owning and operating

steam tugs, boats and barges for shipping coal and other minerals and commodities, carry on a general merchandising business in connection with the mines, and generally for doing all things incident, lawful and necessary to the carrying on the business of mining, shipping and selling of coal and other minerals. Which corporation shall keep its principal office or place of business at Cedar Grove, in the county of Kanawha, and state of West Virginia, and is to expire on the 1st day of December, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of twelve hundred dollars to the capital thereof, and have paid in on said subscription the sum of twelve hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say :

By Robert P. Armstrong, Point Pleasant, W. Va., 3 shares ;

By James B. West, Marietta, Ohio, 4 shares ;

By J. A. Armstrong, Jr., Point Pleasant, W. Va., 1 share ;

By Michael Beane, Malden, W. Va., 2 shares ;

By W. D. Armstrong, Malden, W. Va., two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 4th day of December, 1886.

ROBERT P. ARMSTRONG,  
JAS. B. WEST,  
J. A. ARMSTRONG, JR.,  
WM. D. ARMSTRONG,  
MICHAEL BEANE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of December, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this fourteenth day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

## THE SLEIGH AND SMITH ROTARY ENGINE AND MANUFACTURING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name

of The Sleigh and Smith Rotary Engine and Manufacturing Company, for the purpose of manufacturing and making sale of Sleigh and Smith Rotary Engines, and for the purpose of manufacturing and dealing in all kinds of machinery, engines, and boilers and machinery fixtures and supplies; and for carrying on a general repair business, and to purchase and hold sufficient real estate to carry on successfully said business, which corporation shall keep its principal office or place of business at Parkersburg, in the county of Wood, and state of West Virginia, and is to expire on the 13th day of December, nineteen hundred and sixteen, (1916.) And for the purpose of forming the said corporation, we have subscribed the sum of two thousand and twenty dollars, and have paid in on said subscription the sum of two hundred and two dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to twenty-five thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By C. F. Sleigh, Parkersburg, W. Va., fifty shares;  
 By H. V. Smith, Parkersburg, W. Va., fifty shares;  
 By W. W. Smith, Parkersburg, W. Va., fifty shares;  
 By L. W. Smith, Parkersburg, W. Va., fifty dollars;  
 By I. A. Smith, Parkersburg, W. Va., one share;  
 By M. J. Sleigh, Parkersburg, W. Va., one share.

And the capital to be hereafter sold, is to be divided into shares of like amount.

Given under our hands this 13th day of December, 1886.

C. F. SLEIGH,  
 H. V. SMITH,  
 W. W. SMITH,  
 M. J. SLEIGH,  
 I. A. SMITH,  
 L. W. SMITH.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the thirteenth day of December, nineteen hundred and sixteen, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this sixteenth day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### SOUTHERN NATURAL GAS AND OIL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged

and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

We, the undersigned, do hereby agree to become a corporation, under the provisions of the laws of the state of West Virginia, by the name of the Southern Natural Gas and Oil Company, for the purposes of boring and drilling for gas, oil and salt; of constructing and maintaining gas wells, oil wells, salt wells, refineries, lines of piping and tubing for the transportation of gas, oil and other fluids, and lines of telegraph and telephones; of mining coal and ores; of buying, selling and dealing in gas, oil, salt, coal, ores, minerals and metals; of leasing and buying real estate, and constructing and maintaining such tramways and railways as shall be necessary in prosecuting business as aforesaid; and of doing, transacting and carrying on, in said state of West Virginia and elsewhere, all business, not inconsistent with the laws of West Virginia, that shall be properly connected with, or incidental or pertaining to the aforesaid works, improvements and business, or each or any of the same. Which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha and state of West Virginia, and is to expire on the sixteenth day of December, in the year one thousand nine hundred and thirty-six. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscription, in full payment thereof, the said sum of five hundred dollars, and we desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one million dollars in all. The capital so subscribed is divided into five shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Wallace C. Andrews, residing in the city, county and state of New York, one share;

By William S. Williams, residing in the city, county and state of New York, one share;

By Frederic Prentice, residing in the city, county and state of New York, one share;

By Scoville C. Williams, residing in the city, county and state of New York, one share;

By Howell Smith, residing in the city of Brooklyn, in the county of Kings and state of New York, one share.

And the capital to be hereafter sold is to be divided in shares of the like amount.

Given under our hands, respectively, this sixteenth day of December, in the year one thousand eight hundred and eighty-six.

W. C. ANDREWS,  
WILLIAM S. WILLIAMS,  
FREDERIC PRENTICE,  
SCOVILLE C. WILLIAMS,  
HOWELL SMITH.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the sixteenth day of December, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twentieth day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

## WEST VIRGINIA CENTRAL AGRICULTURAL AND MECHANICAL SOCIETY.

### EXTENSION.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that A. H. Osborn, president of the West Virginia Central Agricultural and Mechanical Society, a corporation created, formed and organized under the laws of the said state, has certified to me under his signature and the common seal of said corporation, that at a general meeting of the stockholders thereof held after notice given according to law, to be held on the fair grounds of said company near Clarksburg, West Virginia, on the 17th day of September, 1886, wherein a majority of the stock of said corporation was represented in person or by proxy, the following resolution was adopted:

*Resolved*, That the corporate existence of the West Virginia Central Agricultural and Mechanical Society be continued for fifty years from and after the expiration of its present charter.

Wherefore, I do hereby declare said extension to be authorized by law, and that the charter of the West Virginia Central Agricultural and Mechanical Society, which expires by limitation on the first day of July, 1887, is hereby extended until the first day July, 1937.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 21st day of December, 1886.

HENRY S. WALKER,  
*Secretary of State.*

---

## HARRISON COUNTY BUILDING ASSOCIATION.

### DISSOLUTION.

I, Henry S. Walker, secretary of state of the state of West Vir-

ginia, do hereby certify that Lee Haymond, president of the Harrison county Building Association, a corporation created under the laws of West Virginia, has certified to me under his signature and the common seal of said corporation, that at a meeting of the stockholders of said company, held at Olarksb urg, West Virginia, on the 25th of August, 1886, in pursuance of law, the following resolution was adopted, a majority of the stock of said company being present and voting therefor :

*Resolved*, That Jno. C. Vance collect all dues now in arrears to said Harrison County Building Association, pay off all dues and indebtedness of said association and close up its business, and that said association be from and after this date dissolved.

Wherefore, I do hereby declare said corporation to be dissolved as proposed in said resolution.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-seventh day of December, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

### THE HUNTINGTON WATER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Huntington Water Company, for the purpose of building, constructing, maintaining, operating and owning water works within the present and future limits of the city of Huntington, Cabell county, West Virginia, and of supplying the said city of Huntington, and the inhabitants thereof with water for domestic, manufacturing, sanitary and fire purposes; of laying down pipes and water mains for the purpose of conveying water through the streets, avenues and alleys within the present and future limits of said city, of acquiring and holding as by law authorized any and all real estate, easements and water rights necessary of receiving, storing, purifying, conducting and distributing water through said city; of erecting, maintaining and owning settling basins, filtering galleries, reservoirs, water towers, pump houses and all other necessary buildings, engine machinery and other appliances and attachments necessary or expedient for the proper conducting and carrying on such works; which corporation shall keep its principal office or place of business at Huntington, in the county of Cabell, state of West Virginia, and is to expire on the 24th day of December, 1936. And for the purpose of forming the said corporation we have subscribed the sum of one hundred thousand dollars to the capital thereof, and have paid in on said subscrip

tions the sum of ten thousand dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to two hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By William S. Kuhn, McKeesport, Penn., 600 shares;

By John McIntyr, McKeesport, Penn., 250 shares;

By J. F. Cockburn, Muncie, Ind., 100 shares;

By Toney Hefel, Muncie, Ind., 30 shares;

By D. B. Ludwick, Muncie, Ind., 20 shares;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 24th day of December, 1886.

WILLIAM S. KUHN, [Seal.]

JNO. MCINTYRE, [Seal.]

J. F. COCKBURN, [Seal.]

TONEY HEFEL, [Seal.]

D. B. LUDWICK, [Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-fourth day of December, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-ninth day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,

*Secretary of State.*

### THE BANK OF HINTON.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement, duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Bank of Hinton," for the purpose of discounting promissory notes, negotiating drafts, bills of exchange and other evidences of indebtedness, receiving deposits, buying and selling exchange, bank notes, bullion or coin, and loaning money on personal or other security and all such other business as it is lawful for a bank of discount and deposit to do; which corporation shall have its principal office and place of business at Hinton, in the county of Summers, and is to expire on the 23rd day of December, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of thirty thousand dollars to the capital stock

thereof, and have paid in on said stock the sum of three thousand dollars (\$3,000), or ten per cent. of each share, and we desire the privilege of increasing the said capital by the sale of additional shares of stock from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows:

By George T. Ewart, Raleigh Court House, West Virginia, fifty shares.

By Azel Ford, Raleigh Court House, West Virginia, one hundred shares.

By M. A. Riffe, Hinton, West Virginia, one hundred shares.

By A. S. Riffe, Hinton, West Virginia, twenty-five shares.

By B. Prince, Hinton, West Virginia, twenty-five shares

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 23rd day of December, 1886.

M. A. RIFFE,  
GEO. T. EWART,  
AZEL FORD,  
A. S. RIFFE,  
B. PRINCE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty third day of December, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 29th day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### THE MCGRAW'S RUN OIL AND GAS COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The McGraw's Run Oil and Gas Company," for the purpose of boring for carbon oil, or petroleum and natural gas, and for buying and selling such oil or gas, and for constructing, maintaining and operating pipe lines for the transportation of such natural gas, and carbon oil or petroleum for the public as well as for said corporation, and for carrying on all business properly pertaining thereto. Which corporation shall keep its principal office or place of business in the city of Wheeling, county of Ohio, state of West



Virginia, and is to expire on the first of December, A. D., 1886. And for the purpose of forming said corporation, we have subscribed the sum of five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of five hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to two hundred thousand dollars in all. The capital so subscribed is divided into shares of five hundred dollars each, which are held by the undersigned respectively, as follows, that is to say :

By J. N. Vance, of Wheeling, W. Va., one share ;  
 By John J. Jones, of Wheeling, W. Va., one share ;  
 By Robert W. Hazlett, of Wheeling, W. Va., one share ;  
 By William H. Hearne, of Wheeling, W. Va., one share ;  
 By Joseph Speidel, of Wheeling, W. Va., one share ;  
 By F. J. Hearne, of Wheeling, W. Va., one share ;  
 By Henry M. Russell, of Wheeling, W. Va., one share ;  
 By George Hook, of Wheeling, W. Va., one share ;  
 By Ambrose S. List, of Wheeling, W. Va., one share ;  
 By James Cummins, of Wheeling, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 20th day of December, A. D., 1886.

WM. H. HEARNE,  
 A. S. LIST,  
 J. N. VANCE,  
 JNO. J. JONES,  
 JOSEPH SPEIDEL,  
 JAMES CUMMINS,  
 HENRY M. RUSSELL,  
 GEORGE HOGK,  
 R. W. HAZLETT,  
 F. J. HEARNE.

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of December, nineteen hundred and thirty-six, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this thirty-first day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### THE WHEELING NATURAL GAS COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that Wm. Flinn, President of the Wheeling Natural Gas Company, has certified to me under his signa-

ture and the common seal of said corporation, that at a general meeting of the stockholders thereof, held at its principal office in Wheeling, on the 21st day of December, 1886, the following resolution was adopted, a majority of the stock of said company being present in person or by proxy and voting therefor:

“*Resolved*, That the number of shares of the capital stock of this company be increased to 20,000, making the capital stock \$1,000,000 in all.”

Wherefore, I do declare said increase of capital stock to be authorized by law and the capital stock of said The Wheeling Natural Gas Company shall hereafter be one million dollars.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 31st day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary State.*

#### CHEAT RIVER BOOM AND LUMBER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

#### ARTICLES OF INCORPORATION OF THE CHEAT RIVER BOOM AND LUMBER COMPANY.

First.—The undersigned hereby agree to become a corporation by the name of the Cheat River Boom and Lumber Company.

Second.—The proposed corporation is organized and is to be organized for the purpose of constructing, operating and maintaining a boom, or booms, with or without piers or damson Cheat river and its tributaries in Tucker county, West Virginia; and for the purpose of constructing, operating and maintaining saw mills, shingle mills, pulp mills, handle factories and any other wood working mills or manufactories, and for the purpose of buying, holding, leasing and selling timber lands and such other lands as are necessary for the accomplishment of the objects or any one or more of the objects of said corporation, and a further purpose and object of said corporation is to establish and maintain lumber yards, to buy and sell lumber, saw logs, masts, spars, ties, staves and all kinds of logs and lumber of any and every description.

Third.—The place or places at which said corporation proposes to construct and operate said boom or booms is at or within two miles of the forks of Cheat river on said river, or either or both of its tributaries in said Tucker county, and at or within two miles of the mouth of Roaring run on the big black fork of Cheat river in said county, and at or within two miles of Carrick ford, on Shafer's fork of Cheat river in said county, and at or within

two miles of the mouth of Otterfork of Dry fork of Cheat river in said county, and at or within two miles of the mouth of Gladly fork of dry fork of Cheat river in said county, or at any one or more of said designated places, and will establish and maintain the proposed mills and lumber yards at such place or places in said county of Tucker as to them may seem most advantageous to the objects of said corporation.

Fourth.—The proposed corporation will establish and maintain its principal office in St. George, in Tucker county, West Virginia, with a branch office in Oil City, Pennsylvania, and with branch offices at such other places as may seem to be to the best interests of said corporation.

Fifth.—The time of commencement of said proposed corporation shall be the first day of January, 1887, or as soon thereafter as a proper certificate of incorporation shall have been obtained, and the period of its continuance is twenty years from January 1st, 1887.

Sixth.—The amount of capital stock of said corporation is two hundred dollars, (\$200.00), divided into shares of ten dollars each, of which said capital stock the sum of thirty dollars (\$30.00), has been paid in pro rata by the stockholders. And said corporation reserves the privilege of increasing its capital stock by the issuance and sale of additional shares from time to time of like par value of ten dollars (\$10.00) each, until said capital stock shall amount to the sum of one hundred and fifty thousand dollars (\$150,000.00) in all. The names and residence of the several persons forming this association, (corporation), and the number of shares subscribed by each and hereby subscribed for are as follows :

By John D. Hulings, of St. George, W. Va., two shares ;  
 By Thos. F. Hebb, of St. George, W. Va., two shares ;  
 By S. R. Cogan, of St. George, W. Va., two shares ;  
 By Thos. J. Long, of Alum Hill, W. Va., two shares ;  
 By J. E. Butler, of Oil City, Pa., twelve shares.

More than ten per cent., viz : fifteen per cent. of the par value of each share has been paid in pro rata by the shareholders to the person authorized to receive the same.

Given under our hands this 28th day of December, 1886.

JOHN D. HULINGS,  
 THOMAS F. HEBB,  
 S. R. COGAN,  
 THOS. J. LONG,  
 J. E. BUTLER.

Wherefore, the incorporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and seven, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the d

[G. S.] state, at the city of Charleston, this third day of January, eighteen hundred and eighty-seven.

HENRY S. WALKER,  
*Secretary of State.*

### WHEELING MINING AND MANUFACTURING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Wheeling Mining and Manufacturing Company, for the purpose of mining, shipping, selling, using, purchasing and reselling coal, iron, ores and other mineral; of buying, owning, working, leasing and letting to lease upon rents or royalties, coal and other mineral lands; of manufacturing, using, shipping and selling coke, brick, iron and glass, in any and all their different branches; of buying selling and exchanging merchandise generally; of transporting freight and merchandise by land and by water, purchasing and selling goods, wares and merchandise by wholesale and retail, and for the further purpose of doing any other business which may be by said corporation deemed necessary or advantageous in carrying out the purpose of its organization as hereinbefore set forth. Which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio and state of West Virginia, and is to expire on the first day of January, A. D. nineteen hundred and thirty-seven. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars (\$500) to the capital thereof, and have paid in on said subscription the sum of fifty dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one hundred thousand dollars (\$100,000) in all. The capital so subscribed is divided into shares of one hundred dollars (\$100) each, which are held by the undersigned respectively, as follows, that is to say:

By S. H. Kasley, Wheeling, Ohio county, W. Va., one share;

By D. R. Brooke, Wheeling, Ohio county, W. Va., one share;

By Wilbur C. Jacobs, Wellsburg, Brooke county, W. Va., one share;

By H. C. Richards, Wheeling, Ohio county, W. Va., one share;

By J. W. Brooks, Wheeling, Ohio county, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 4th day of January, A. D. 1887.

S. H. KASLEY,	[Seal.]
D. R. BROOKS,	[Seal.]
WILBUR C. JACOBS,	[Seal.]
H. C. RICHARDS,	[Seal.]
J. W. BROOKS,	[Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty-seven, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this sixth day of January, 1887.

HENRY S. WALKER,  
*Secretary of State.*

### THE BIG SANDY IRON AND COAL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Big Sandy Iron and Coal Company, for the purpose of purchasing, holding, leasing and possessing real estate, and mining the coal and other minerals therein and manufacturing the same, and cutting the timber thereon and sawing and manufacturing the same, and quarrying stone therein and working the same, and digging and taking earth, clay or sand therefrom and manufacturing the same, and boring for salt and brine therein and manufacturing the same, and boring for petroleum and rock oil therein and refining and manufacturing the same, and for boring for natural gas and other valuable substances and fluids therein and manufacturing the same, and for producing, manufacturing, dealing in, transporting, storing, buying and selling and supplying for light, heat, or both, or for any other purpose any of the aforesaid valuable substances, gases and fluids to persons, corporations and associations and others, and for the constructing, laying and operating pipe lines for the transportation of petroleum, rock oil, water, brine, gas, natural gas or other fluids, and for doing a general mercantile business and all other such business and trade in relation to any of the aforesaid purposes as a partnership might do; and for leasing the said lands to others for any of the above named purposes. Which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, state of West Virginia, and is to expire at noon, 12 o'clock, the first day of January, 1937. And for the purpose of forming the said corporation we have subscribed the sum of five hundred dollars (\$500) to the capital thereof and have paid in on said subscription the sum of fifty dollars (\$50), and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to five hundred thousand dollars in all. The capi-

tall so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively as follows, to-wit:

C. T. Coats, Letart Falls, O., two shares;  
 T. O. M. Davis, Winifrede, W. Va., two shares;  
 J. B. Aleshire, Gallipolis, O., two shares;  
 E. S. Aleshire, Gallipolis, O., two shares;  
 John D. White, Charleston, W. Va., two shares.

And the capital to be hereafter sold, is to be divided into shares of like amount.

Given under our hands and seals this 5th day of January, 1887.

C. T. COATS, [Seal.]  
 T. O. M. DAVIS, [Seal.]  
 J. B. ALESIRE, [Seal.]  
 E. S. ALESIRE, [Seal.]  
 JOHN D. WHITE, [Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hun lred and thirty-seven, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this seventh day of January, eighteen hundred and eighty-seven.

HENRY S. WALKER,  
*Secretary of State.*

---

## THE SPORTSMAN'S ASSOCIATION OF CHEAT MOUNTAIN.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Sportsman's Association of Cheat Mountain, for the purpose of holding and possessing real estate, of protecting and propagating game and game fish, and enforcing all laws and ordinances against the unlawful killing and selling of the same; the advancement of fellowship, unanimity and a higher standard of action among sportsmen. Which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, state of West Virginia, and is to expire on the first day of January, 1937. And for the purpose of forming the said corporation we have subscribed the sum of one thousand dollars (\$1,000.00) to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars (\$100.00); and desire the privilege of increasing the said capital, by the sale of addi-

tional shares from time to time, to fifteen thousand (\$15,000.00) dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say :

By William S. Edwards, Charleston, W. Va., two shares;

By Wm. Richardson, Charleston, W. Va., two shares;

By Joseph Ruffner, Charleston, W. Va., two shares;

By Albert H. Campbell, Charleston, W. Va., two shares;

By John D. White, Charleston, W. Va., two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 8th day of January, 1887.

WILLIAM S. EDWARDS,

ALBERT H. CAMPBELL,

JOHN D. WHITE,

WILLIAM RICHARDSON,

J SEPH RUFFNER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty-seven, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this eighth day of January, eighteen hundred and eighty-seven.

HENRY S. WALKER,

*Secretary of State.*

## THE CHEAT VALLEY BOOM AND LUMBER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Cheat Valley Boom and Lumber Company for the purpose of constructing, operating and maintaining a boom or booms, with or without piers or dams in Cheat river and its tributaries in Tucker and Randolph counties, West Virginia. And for the purpose of constructing, operating and maintaining saw mills, shingle mills, pulp mills, handle factories and any other wood working mills or manufactories. And for the purpose of buying, selling, leasing and holding timber lands and such other lands as are necessary for the accomplishment of any one or more of the objects of this corporation. And for this purpose and object this corporation is to establish and maintain lumber yards and to buy and sell, lumber, saw logs, masts, spars, ties, staves and all grades of logs and timber of every kind and sort. The place or places where this com-

pany proposes to construct such boom or booms is upon Cheat river and the forks and tributaries thereof in either or both of said counties of Tucker and Randolph, West Virginia, to-wit: At or within five miles of the mouth of Roaring Run, on the Big Black Fork of Cheat river in the county of Tucker, at or within — miles of the mouth of Shaffer's fork of Cheat river, and up said Shaffer's fork at or within five miles of the mouth of Pleasant river, a tributary of said Shaffer fork, or at or within two miles of the crossing of the Seneca road across said Shaffer's fork of Cheat river or at any point upon said fork above said road crossing in the counties of Tucker and Randolph. At or within five miles of the mouth of the other fork of Dry fork of Cheat river in the county of Tucker. At or within five miles of the mouth of Gladly fork of Dry fork of Cheat river in the county of Tucker. At or within five miles of the mouth of Laurel fork of Dry fork of Cheat river or at any one or more or at all of said described places we will establish and maintain the proposed booms and dams, mills and yards at such place or places in the said counties of Tucker and Randolph as may seem to best secure the furtherance and accomplishment of the objects and purposes of this corporation. The said corporation shall establish and maintain its principal office or place of business at Beverly, in the county of Randolph, West Virginia, with a branch office at Winchester, in said county of Randolph, and other branch offices at such other places within and without the state as may be deemed most convenient for the carrying on of the business of the corporation. This corporation shall commence the first day of January, 1887, and shall continue fifty years, to-wit:—Until the first day of January, 1937; and for the purpose of forming said corporation, we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscription the sum of one hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to two hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By William S. Edwards, of Charleston, W. Va., 2 shares;  
 By Malcolm Jackson, of Charleston, W. Va., 2 shares;  
 By John D. White, of Charleston, W. Va., 2 shares;  
 By Albert H. Campbell, of Charleston, W. Va., 2 shares;  
 By Morris O. Brooks, of Charleston, W. Va., 2 shares.

And the capital to be hereafter sold is divided into shares of like amount.

Given under our hands and seals, this 5th day of January, 1887.

WILLIAM S. EDWARDS,	[Seal.]
MALCOLM JACKSON,	[Seal.]
JOHN D. WHITE,	[Seal.]
ALBERT H. CAMPBELL,	[Seal.]
MORRIS O. BROOKS.	[Seal.]



Wherefore, the corporators named in the said agreement, and who have signed the same and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty-seven, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this twelfth day of January, eighteen hundred and eighty seven.

HENRY S. WALKER,  
*Secretary of State.*

---

## OHIO VALLEY LIFE COMPANY.

### AMENDMENT TO CHARTER.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that I. H. Duval, president, and Wm. C. Handlin, secretary of the Ohio Valley Life Company, this day certified to me, under their hands and the common seal of said corporation, that at a general annual meeting of the stockholders of said company, held at its principal office in the city of Wheeling, West Virginia, in accordance with law, on Tuesday, the 11th day of January, 1887, the following resolution was adopted, all the stock of said company being present and voting therefor:

"The stockholders of the Ohio Valley Life Company, in general meeting assembled, this 11th day of January, 1887, desiring to change the language of its charter in so far as it sets forth the purposes and objects of said corporation, do now resolve that the charter of this corporation shall be changed so that its objects and purposes shall be as follows, viz: 'For the mutual protection and relief of those who may become beneficiary members thereof, the payment of sums of money to the families or heirs of deceased members, the receipts of money by voluntary contribution, donation or dues, the collection of money by assessments upon its members, and the proper distribution, investment and appropriation of such monies; the stock subscribed to said corporation to be held and used solely for the purpose herein set forth, and not in any manner to share in such assessments, nor in anywise to be increased thereby.'"

Wherefore, I do declare said amendment, as set forth in said resolution, to be authorized by law, and that said charter of the Ohio Valley Life Company is amended accordingly.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 14th day of January, 1887.

HENRY S. WALKER,  
*Secretary of State.*

## THE WASHINGTON HOTEL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Washington Hotel Company, in the District of Columbia, for the purpose of erecting a hotel with all necessary buildings, offices and annexes pertaining thereto, and purchasing and holding so much land in the city of Washington, District of Columbia, as may be required for the erection of said hotel and buildings, and not exceeding the limit prescribed by law. Which corporation shall keep its principal office or place of business at Washington City, in the District of Columbia, and is to expire on the first day of April, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one million dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say :

By Joseph K. McCammon, Washington, D. C., one share;

By James C. Sprigg, Washington, D. C., one share;

By John R. Dos Passos, New York, N. Y., one share;

By J. Dempster Smith, Washington, D. C., one share;

By John Blair Hoge, Martinsburg, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this first day of April, 1886.

JOSEPH K. MCCAMMON,  
JAMES C. SPRIGG,  
JOHN R. DOS PASSOS,  
J. DEMPSTER SMITH,  
JOHN BLAIR HOGE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of April, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this 21st day of April, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

JOHNSON LUMLEY LONG STAPLE COTTON GIN COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Johnson Lumley Long Staple Cotton Gin Company, for the purpose of manufacturing and selling and granting to others licenses to manufacture and sell cotton gins under letters patent granted by the United States to Thomas A. Mitchell, assignee of Edwin Johnson Lumley for improvement in cotton gins, which corporation shall keep its principal office at Washington City, D. C., in the county of Washington, and is to expire on the first day of January, 1906. For the purpose of forming said corporation we have subscribed the sum of ten thousand dollars to the capital stock thereof and have paid in on said subscription the sum of one thousand dollars into the hands of Thos. A. Mitchell, the person agreed upon to receive the same for the benefit of said corporation, being at least ten per cent. of the par value of said stock; and we ask the privilege of increasing the capital stock to one million dollars in all, by the sale of additional shares from time to time. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the following persons, who are all residents of Washington City, D. C., in the county of Washington, except Jas. A. Bealmear, who is a resident of Baltimore, in the state of Maryland, viz:

Thomas A. Mitchell, 25 shares;  
 Algernon S. Griggs, 15 shares;  
 Miletus J. Wine, 15 shares;  
 C. Banks Brooks, 5 shares;  
 S. D. Webb, 5 shares;  
 Talbot Lanston, 15 shares;  
 Frank Palmer, 5 shares; and  
 Jas. A. Bealmear, 15 shares;  
 Making in all one hundred shares.

The capital stock hereafter to be sold is to be divided into shares of like amount.

Given under our hands this 6th day of April, 1886.

In presence of        )  
 G. W. BALLOCK.        )

THOMAS A. MITCHELL,  
 ALGERNON S. GRIGGS,  
 JAMES A. BEALMEAR,  
 SAMUEL D. WEBB,  
 MILETUS J. WINE,  
 C. BANKS BROOKS,  
 FRANK PALMER,  
 TALBOT LANSTON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 26th day of April, eighteen hundred and eighty-six.

HENRY S WALKER,  
*Secretary of State.*

### THE THURMOND CAR COUPLING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the "Thurmond Car Coupling Company," for the purpose of owning personal and real estate, buying, selling and leasing patent rights, making, using or vending to others to be used, inventions, whether protected by letters patent or not manufacturing machinery and implements, and doing all other things necessary thereto; which corporation shall keep its principal office either at Washington, in the District of Columbia, Atlanta, in the county of Fulton and state of Georgia, or any other place, as the stock-holders may determine, and is to expire on the first day of April, nineteen hundred and thirty-six. And for the purpose of forming said corporation we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscription the sum of fifty dollars, and desire the privilege of increasing the said capital stock, by the sale of additional shares or otherwise, from time to time, to six hundred and fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned as follows, that is to say :

By William D. Thurmond, of Forcyth, Georgia, one share;

By Henry Orth, of Washington, District of Columbia, one share;

By Charles S. Whitman, of Washington, District of Columbia, one share;

By Mathew C. Butler, of Edgefield, South Carolina, one share;

By Alfred H. Colquitt, of Atlanta, Georgia, one share.

And the capital to be hereinafter subscribed is to be divided into shares of like amount.

Given under our hands this twenty-third day of April, eighteen hundred and eighty-six.

WILLIAM D. THURMOND,  
CHARLES S. WHITMAN,

M. C. BUTLER,  
ALFRED H. COLQUITT,  
HENRY ORTH.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of April, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this eighth day of May, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

### THE OHIO RIVER ELECTRIC COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Ohio River Electric Company," for the purpose of buying, owning, using, leasing, renting and selling all kinds of inventions or invented articles and devices whether patented or not, relating to, used or to be used in any system of lighting or supplying motive power by electricity; and for the further purpose of possessing, owning and manufacturing any and all appliances, instruments, devices and machinery designed for employment in the development and use of electricity; and all patents, rights, franchises and licenses relating thereto or to patents relating to any subject whatever, and for the further purpose of lighting the rivers, vessels, railroads, bridges, cities and towns of the United States with or by means of electricity; and of supplying motive power driven by electricity; and for the purpose of introducing such light and motive power into general use; and for the purpose of acquiring the privilege or right from the United States of America, or from the several states to occupy the navigable rivers of the country for the purpose of supply electricity for lighting said rivers or for supplying motive powers as aforesaid; and for the purpose of transmitting intelligence by electricity in any manner to be adopted by this corporation. Which corporation shall keep its principal office or place of business either in the city of Cincinnati, county of Hamilton, state of Ohio, or in the city of Charleston, county of Kanawha, state of West Virginia, or in the city of Louisville, state of Kentucky, and is to expire on the 12th day of May, 1936. And for the purpose of forming said corporation, we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of \$100.00, and desire the privilege of increasing the said capital by the sale

of additional shares from time to time to the maximum of \$1,000,000 in all. The capital so subscribed is divided into shares of \$100 each, which are held by the undersigned respectively, as follows, that is to say :

- By William H. Dicks, Madeira, Ohio, two shares ;
- By Andrew J. English, Cincinnati, Ohio ; two shares ;
- By James A. Craft, Harrison, Ohio, two shares ;
- By Robert P. Snyder, Hamilton, Ohio, two shares ;
- By John Galvin, Cincinnati, Ohio, two shares.

And the capital stock to be hereafter sold is to be divided into shares of the like amount of \$100 each, or stock may be issued in payment for purchases of real or personal property or debts of the corporation at prices satisfactory to the corporation. And the corporation may execute deeds of trust or mortgage and issue bonds thereunder for purchase of real or personal estate or payment or discharge or fulfillment of its contracts.

Given under our hands this 12th day of May, 1886.

WILLIAM H. DICKS,  
ANDREW J. ENGLISH,  
ROBERT P. SNYDER,  
JAMES A. CRAFT,  
JOHN GALVIN.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twelfth day of May, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this twelfth day of May, 1886.

HENRY S. WALKER,  
*Secretary of State.*

---

NATIONAL PRESS BRICK COMPANY, OF WASHINGTON,  
D. C.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of National Press Brick Company, of Washington, D. C., for the purpose of making and vending bricks and other ceramic products, and for the purchase and sale of patent rights for said manufacture, and also for the purchase and sale of brick machinery ; which corporation shall keep its principal office or place of business at Washington City, in the District of Columbia, and is to expire on

the 12th day of May, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars (\$500.00) to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars (\$50.00), and I desire the privilege of increasing the said capital by the sale of additional shares from time to time to two hundred and fifty thousand dollars (\$250,000.00) in all. The capital so subscribed is divided into shares of one hundred dollars (\$100.00) each, which are held by the undersigned, respectively, as follows, that is to say :

By Wm. L. Gregg, 1625 Green street, Philadelphia, Pa., one share ;

By G. W. Clark, Riggs House, Washington, D. C., one share ;

By George Adams, Washington, D. C., one share ;

By John E. Beall, 1420, F. street, Washington, D. C., one share ;

By Levi R. Greene, 16, Oliver street, Boston, Mass., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this 12th day of May, 1886.

WM. L. GREGG,	[Seal.]
G. W. CLARK,	[Seal.]
GEORGE ADAMS,	[Seal.]
JOHN E. BEALL,	[Seal.]
LEVI R. GREENE,	[Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twelfth day of May, nineteen hundred and thirty six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state at the city of Charleston, this 15th day of May, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

### BEAVER LICK LUMBER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of Beaver Lick Lumber Company, for the purpose of manufacturing lumber in the county of Greenbrier, in the state of West Virginia, and for the sale of the manufactured product. Which corporation shall keep its principal office or place of business at Harrisburg, in the county of Dauphin, and state of Pennsylvania, and is to expire on the 4th day of May, A. D. 1926. And for the purpose of forming the said corporation we have subscribed the

sum of sixty thousand (\$60,000.00) dollars to the capital thereof, and have paid in on said subscriptions the sum of six thousand (\$6,000.00) dollars; and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one hundred thousand (\$100,000.00) dollars in all. The capital so subscribed is divided into shares of one hundred (\$100.00) dollars each, which are held by the undersigned respectively as follows, that is to say:

By McCormick estate, Harrisburg, Pa., 397 shares;

By W. K. Alricks, Harrisburg, Pa., 1 share;

By James McCormick, Harrisburg, Pa., 1 share;

By Franklin Reading, Williamsport, Pa., 200 shares;

By Darius M. Peck, Williamsport, Pa., 1 share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 4th day of May, 1886.

McCORMICK ESTATE,  
Per Harry McCormick, Trustee.  
W. K. ALRICKS,  
JAMES McCORMICK,  
FRANKLIN READING,  
DARIUS M. PECK.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the fourth day of May, nineteen hundred and twenty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this eighteenth day of May, eighteen hundred and eighty-six.

HENRY S. WALKER,  
Secretary of State.

## CAMPBELL ENGINE COMPANY OF WASHINGTON, D. C.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Campbell Engine Company of Washington, D. C., for the purpose of owning the rights secured and to be secured to Joseph H. Campbell and his assigns in the Campbell Cycle Engine and dependent and auxiliary appliances thereto, and of selling the right to manufacture and use the same, and of manufacturing engines and appliances under said patents granted and to be granted to said Campbell and his assigns, and for the manufacture and sale



of ammonia refrigerating apparatus, and of aqua ammonia. Which corporation shall keep its principal office or place of business at the city of Washington, District of Columbia, and is to expire on the first day of April, 1906. And for the purpose of forming the said corporation, we have subscribed the sum of two thousand five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of two thousand five hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say:

By James McLain, of the city of New York, N. Y., five shares;

By Abram F. Barker, of the city of Washington, D. C., five shares;

By J. Ledyard Hodge, of the city of Washington, D. C., five shares;

By Henry D. Green, of the city of Washington, D. C., five shares;

By Wm. W. Dudley, of the city of Washington, D. C., five shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 19th day of April, A. D. 1886.

JAMES McLAIN,  
 ABRAM F. BARKER,  
 J. LEDYARD HODGE,  
 WM. W. DUDLEY,  
 H. D. GREEN.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of April, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-seventh day of May, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE WASHINGTON AND WESTERN RUSSELL PROCESS COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Washington and Western Russell Process Company," for the purpose of mining gold, silver, coal and other minerals, also petroleum and gas; of treating, reducing and dealing in ores, metals and metallurgical products; of manufacturing, using and dealing in gas, electricity, bricks and other mineral substances; of purchasing, using, obtaining and vending patents, and rights and licenses under patents. Which corporation shall keep its principal office or place of business at the city of Washington, in the county of Washington and in the District of Columbia, and is to expire on the twenty-seventh day of May, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one million dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively as follows, that is to say:

By George S. Prindle, Washington, District of Columbia, two shares;

By Philip G. Russell, Washington, District of Columbia, two shares;

By Gurden H. Wilcox, Washington, District of Columbia, two shares;

By William W. Upton, Washington, District of Columbia, two shares;

By Hiram H. Carpenter, New Mexico, two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 27th day of May, 1886.

GEO. S. PRINDLE,  
PHILIP G. RUSSELL,  
GURDEN H. WILCOX,  
W. W. UPTON,  
HIRAM H. CARPENTER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-seventh day of May, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this 28th day of May, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

---

### SILVER LEAF MINING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Vir-

ginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Silver Leaf Mining Company, for the purpose of carrying on the general business of mining for silver and other metals in the state of West Virginia, Canada and elsewhere, and such other businesses as may be necessary in connection therewith. Which corporation shall keep its principal office or place of business at the city of New York, in the state of New York, and is to expire on the first day of January, A. D. 1936. And for the purpose of forming the said corporation we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of one dollar each, and are held by the undersigned, respectively, as follows, that is to say:

By Edward Dart, 30 West 59th street, New York, 100 shares;

By William W. Newcomb, 329 West 124th street, New York, 100 shares;

By Joseph Edward Freund, Staten Island, New York, 100 shares;

By Walter H. Hume, 52 West 26th street, New York, 100 shares;

By James Haven, Bridgefield, New Jersey, 100 shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands, this 15th day of May, A. D. 1886.

EDWARD DART,  
WILLIAM W. NEWCOMB,  
JOSEPH E. FREUND,  
WALTER H. HUME,  
JAMES HAVEN.

Wherefore, the incorporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this thirty first day of May, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State*

---

THE NOVELTY MANUFACTURING COMPANY OF WASHINGTON, D. C.

I, Henry S. Walker, secretary of state of the state of West Vir-

ginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Novelty Manufacturing Company of Washington, D. C., for the purpose of manufacturing and selling the several articles invented by William N. Rowe, viz: a button and holder, a separable button, a fountain scrubbing brush, a hand rubber for washing clothes and any other article, patent or otherwise, that it may find profitable and desirable to manufacture and sell, or manufacture to order. Which corporation shall keep its principal office or place of business at Washington City, in the county of Washington, and District of Columbia, and is to expire on the first day of June, 1935. And for the purpose of forming the said corporation we have subscribed the sum of one hundred thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred thousand dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to two hundred thousand dollars in all. The capital so subscribed is divided into shares of one dollar each, which are held by the undersigned respectively as follows, that is to say:

By William N. Rowe, 224 E. street, N. W., Washington, D. C., 99,995 shares;

By Mills Dean, 462, La. Ave., Washington, D. C., 1 share;

By R. O. Edmonston, 434 9th St., N. W., Washington, D. C., 1 share;

By H. F. Brewninger, 620 13th St., N. W., Washington, D. C., 1 shares;

By Albert Harper, 113 3d St., N. E., Washington, D. C., 1 share;

By C. F. Rowe, 319 44 St., N. W., Washington, D. C., 1 share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 24th day of May, 1886.

WILLIAM N. ROWE,  
MILLS DEAN,  
R. O. EDMONSTON,  
H. F. BREWNINGER,  
ALBERT HARPER,  
C. F. ROWE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of June, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this second day of June, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## ENTERPRISE MARBLE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Enterprise Marble Company, for the purpose of quarrying, manufacturing and selling marble; which corporation shall keep its principal office or place of business at Concord, Knox county, Tennessee, and is to expire on the 1st day of January, A. D. 1930. And for the purpose of forming the said corporation, we have subscribed the sum of seven thousand three hundred dollars (\$7,300) to the capital thereof, and have paid in on said subscriptions the sum of seven thousand and thirty dollars (\$7,030), and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to fifty thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say:

By J. H. Bushnell, Youngstown, Ohio, 140 shares;  
 By John Neely, Pittsburgh, Pa., 1 share;  
 By Gilbert M. Black, Pittsburgh, Pa., 1 share;  
 By Charles E. Clapp, Pittsburgh, Pa., 1 share;  
 By Elias F. Seaman, Pittsburgh, Pa., 1 share;  
 By Henry Kober, Pittsburgh, Pa., 1 share;  
 By M. C. Davis, Pittsburgh, Pa., 1 share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands and seals this 24th day of May, A. D. 1886.

J. H. BUSHNELL,	[Seal.]
M. C. DAVIS,	[Seal.]
GILBERT H. BLACK,	[Seal.]
CHARLES E. CLAPP,	[Seal.]
ELIAS F. SEAMAN,	[Seal.]
HENRY KOBER,	[Seal.]
JOHN NEELY,	[Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, nineteen hundred and thirty, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twelfth day of June, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## MARYLAND BROWN STONE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Maryland Brown Stone Company, for the purpose of quarrying, milling and selling stone, and purchasing, holding, working and selling stone quarries. Which corporation shall keep its principal office or place of business at the city of Washington, District of Columbia, and is to expire on the first day of June, A. D., 1906. And for the purpose of forming the said corporation, we have subscribed the sum of twenty-five hundred (\$2,500) dollars to the capital thereof, and have paid in on said subscriptions the sum of two hundred and fifty (\$250) dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to twenty-five thousand (\$25,000) dollars in all. The capital so subscribed is divided into shares of twenty-five (\$25) dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By Fred. W. Pratt, Washington, D. C., 20 shares;  
 By Jas. S. Delano, Washington, D. C., 20 shares;  
 By Story B. Ladd, Washington, D. C., 20 shares;  
 By Henry P. Gilbert, Washington, D. C., 20 shares;  
 By Jas. H. Andrews, Washington, D. C., 20 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this first day of June, eighteen hundred and eighty-six.

FRED. W. PRATT,  
 JAS. S. DELANO,  
 STORY B. LODD,  
 HENRY P. GILBERT,  
 JAS. H. ANDREWS.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of June, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State, at the city of Charleston, this 16th day of June, 1886.

HENRY S. WALKER,  
*Secretary of State.*

## THE RENOVO MANUFACTURING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Renovo Manufacturing Company," for the purpose of manufacturing and selling a certain compound for cleaning and renovating carpets, wool, clothing and other materials and articles, with the right to grant licenses for the use and sale of said compound; and conducting, carrying on and transacting a general merchandising and manufacturing business. Which corporation shall keep its principal office or place of business at Philadelphia, in the county of Philadelphia, and state of Pennsylvania, and is to expire on the first day of June, A. D., 1885. And for the purpose of forming said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Daniel Steinmetz, Jr., Philadelphia, Pa., ten shares;  
 By Philip J. Steinmetz, Philadelphia, Pa., ten shares;  
 By Joseph Proctor, Philadelphia, Pa., ten shares;  
 By Samuel P. Coffan, Philadelphia, Pa., ten shares;  
 By Charles T. Ziegler, Philadelphia, Pa., ten shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-first day of June, A. D. 1886.

DANIEL STEINMETZ, JR.,  
 PHILIP J. STEINMETZ,  
 JOSEPH PROCTOR,  
 SAMUEL P. COFFAN,  
 CHARLES T. ZIEGLER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of June, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 28th day of June, 1886.

HENRY S. WALKER,  
*Secretary of State.*

## PNEUMATIC POWER COMPANY.

## INCREASE OF CAPITAL STOCK.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that C. E. Creecy, president of the Pneumatic Power Company, a corporation created under the laws of West Virginia, has certified to me that at a meeting of the stockholders of said company held pursuant to law in room 32 in the Cocoran Building in Washington, D. C., on the 14th day of June, 1886, the following resolution was unanimously adopted:

*Resolved*, That the capitalization of the Pneumatic Power Company shall be increased from one thousand dollars to the sum of five hundred thousand dollars, and that there shall be fifty thousand shares at ten dollars per share.

Wherefore, I do declare said increase of capital stock to be authorized by law.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 29th day of June, 1886.

HENRY S. WALKER,  
*Secretary of State.*

---

THE NATIONAL COMBINED STAND PIPE FIRE ESCAPE  
COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "National Combined Stand Pipe Fire Escape Company," for the purpose of manufacturing, owning, selling, operating and licensing the use of certain inventions to aid and promote the efficiency of fire departments, and for the protection of property and the safety of human life; said inventions being covered by letters patent numbered respectively, 279, 347, 279, 348, 204 and 974, heretofore issued by the United States of America, and to be and become the property of said company, as well as any other patent or invention relating to the general scope of the company which may from time to time be purchased or owned by it; which corporation shall keep its principal office or place of business at Washington, in the District of Columbia, and is to expire on the 30th day of June, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of five thousand dollars, and desire the privilege of increasing



the said capital, by the sale of additional shares from time to time, to one million dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows that is to say:

By Samuel Norment, Washington, District of Columbia, ten shares;

By John A. Haydon, Frederick, Maryland, ten shares;

By Alexander B. Burns, Washington, District of Columbia, ten shares;

By Charles C. Duncanson, Washington, District of Columbia, ten shares;

By Clarence F. Norment, Washington, District of Columbia, ten shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 30th day of June, 1886.

Signed and sealed in the presence of } JOHN B. LARNER. }	SAMUEL NORMENT, [Seal.]
	JOHN A. HAYDON, [Seal.]
	ALEXANDER B. BURNS, [Seal.]
	CHARLES C. DUNCANSON, [Seal.]
	CLARENCE F. NORMENT, [Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the thirtieth day of June, nineteen hundred and thirty six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this second day of July, 1886.

HENRY S. WALKER,  
*Secretary of State.*

## THE MASSANETTA MINERAL SPRINGS COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Massanetta Mineral Springs Company, for the purpose of buying and selling mineral waters, also leasing and purchasing mineral Springs property in the District of Columbia, and elsewhere. Which corporation shall keep its principal office or place of business at Washington, in the county and District of Columbia, and is to expire on the fifteenth day of June, 1936. And for the purpose of forming said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars; and desire the privilege of

increasing the said capital by the sale of additional shares from time to time, to one hundred and fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say :

By Casper B. Shafer, Washington, D. C., 1 share ;  
 By M. J. Wine, Washington, D. C., 1 share ;  
 By Michael L. Woods, Washington, D. C., 1 share ;  
 By C. S. Chesney, Washington, D. C., 1 share ;  
 By F. L. Hood, Washington, D. C., 1 share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this twenty-fifth day of June, eighteen hundred and eighty-six.

CASPAR B. SHAFER,  
 M. J. WINE,  
 MICHAEL L. WOODS,  
 C. S. CHESNEY,  
 F. L. HOOD.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the fifteenth day of June, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this ninth day of July, 1886.

HENRY S. WALKER,  
*Secretary of State.*

### THE INCANDESCENT GAS LIGHT COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Incandescent Gas Light Company, for the purpose of manufacturing and selling the Kendrick Incandescent Gas Lamp, and the selling of rights, privileges and licenses for the said patent gas lamp and patented inventions ; procuring and operating different kinds of apparatus and machinery for producing light, heat and power, and in buying, owning, selling and exchanging real property ; and for the purpose of investing for the benefit of this corporation all profits or surplus monies arising in the course of business. Which corporation shall keep its principal office or place of business either in the village of Piedmont, in the county of Mineral, in the state of West Virginia, or in the city of

Philadelphia, in the county of Philadelphia, in the state of Pennsylvania, or in the city of New York, in the county of New York, and state of New York, and is to expire on the 30th day of June, A. D. 1936. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars (\$500) as the capital thereof, and have paid in on said subscriptions the sum of five hundred dollars (\$500), and desire the privilege of increasing the said capital stock, by the sale of additional shares from time to time, to the maximum of five hundred thousand dollars (\$500,000). And the capital stock to be hereafter sold is to be divided into shares of five dollars each, or stock may be issued in payment for purchase of real or personal property or debts of the corporation, at prices satisfactory to the corporation. And the corporation may execute deeds of trust or mortgages and issue bonds thereunder, for the purchase of real or personal estate, or the payment or discharge or fulfillment of their contract. The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned respectively, as follows, that is to say:

By D. Z. Evans, Philadelphia, Pa., twenty shares;  
 By E. Hutchinson, Philadelphia, Pa., twenty shares;  
 By Burd P. Evans, Philadelphia, Pa., twenty shares;  
 By M. Miller Owens, Philadelphia, Pa., twenty shares;  
 By Henry W. Williams, Philadelphia, Pa., twenty shares.  
 Given under our hands this 14th day of July, A. D. 1886.

D. Z. EVANS,  
 EDWARD HUTCHINSON,  
 BURD P. EVANS,  
 M. MILLER OWENS,  
 HENRY W. WILLIAMS.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the thirtieth day of June, nineteen hundred and thirty six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 20th day of July, 1886.

HENRY S. WALKER,  
*Secretary of State.*

## THE UNITED STATES AND CUBA SAFE DEPOSIT AND TRUST COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The United States and Cuba Safe Deposit and Trust Company, for the purpose of establishing in the island of Cuba safe deposit vaults for the safe keeping of papers, securities, plate, jewels and other valuable personal property, and for renting the use of safes and other receptacles on their premises. Also to receive deposits of money, stocks, bonds and other securities, and other kinds of valuable personal property and the evidences thereof from any state, body politic, municipal or other corporation, association, or person for the safe keeping thereof; to act as the fiscal or transfer agent of any state, municipality, body politic, corporation, association or person, and in such capacity, to receive and disburse money, and transfer, register and countersign certificates of stock, bonds or other evidences of indebtedness, to purchase and sell stocks, bonds and other personal property on commission, to buy and sell bills of exchange, emit letters of credit, and to take, accept and execute all legal trusts and commissions in regard to the purchase, holding, management, sale and disposition of any estate or property, real or personal, and the rents, issues and profits thereof, and to any other lawful business which may be granted or confided to it by any person, association, corporation, municipality or other legal authority; to charge such rents, fees or commissions as may be agreed upon, or in absence of any agreement, such as are just and reasonable for the service rendered. Which corporation shall have its principal office or place of business at the city of Habana, in the island of Cuba; its principal office in the United States, in the city, county and state of New York, and its office in the state of West Virginia, in the city of Wheeling, and is to expire on the twenty second day of July, which will be in the year nineteen hundred and thirty six. And for the purpose of forming the said corporation we have subscribed the sum of seven hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of seventy dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one hundred and seventy five thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

By Henry P. Booth, of New York, N. Y., one share;

By W. D. Searls, of New York, N. Y., one share;

By Robert B. Van Vleck, of Brooklyn, N. Y., one share;

By Charles Babbidge, of Brooklyn, N. Y., one share;

By G. de Vera Carril, of Habana, Cuba, one share;

By C. C. Adams, of Brooklyn, N. Y., one share;

By Alexander Agar, of Brooklyn, N. Y., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 26th day of July, A. D. 1886.

HENRY P. BOOTH,

W. D. SEARLS,

ROBT B. VAN VLECK,

CHARLES BABIDGE,  
G. DE VERA CARRIL,  
C. C. ADAMS,  
ALEXANDER AGAR.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the 22nd day of July, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this fifth day of August, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE MANGANESE MINING AND MANUFACTURING COMPANY, OF PHILADELPHIA.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Manganese Mining and Manufacturing Company of Philadelphia, for the purpose of mining, digging and quarrying Manganese iron ore, copper ore and other minerals; buying, selling and otherwise dealing and trading in the same; manufacturing and converting the same into merchantable wares and merchandise for trade, barter and sale; acquiring by deed, lease, license, agreement or otherwise, ore and mineral lands, rights and privileges, and the same again to grant, bargain, sell, lease, demise or otherwise dispose of for profit, as a natural person might do; and to that end to exercise, use and enjoy all the powers, rights, franchises and privileges conferred by law upon mining and manufacturing corporations under the laws and statutes of the state of West Virginia, and to do and perform any and all acts, matters and all things reasonable necessary or proper to be done to carry on the said business. Which corporation shall keep its principal office or place of business at the city of Philadelphia, in the county of Philadelphia, and state of Pennsylvania, and is to expire on the first day of August, A. D. 1936. And for the purpose of forming the said corporation we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one million dollars (\$1,000,000) in all. The capital so

subscribed is divided into shares of one hundred dollars (\$100) each, which are held by the undersigned, respectively, as follows, that is to say :

By Charles H. Bockins, Philadelphia, Pa., one share ;  
 By George W. Bockins, Philadelphia, Pa., one share ;  
 By William J. Faux, Philadelphia, Pa., one share ;  
 By William H. Seyfert, Philadelphia, Pa., one share ;  
 By J. Quincy Humsicker, Philadelphia, Pa., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this sixth day of August, 1886.

CHARLES H. BOCKINS,	[L. S.]
GEORGE W. BOCKINS,	[L. S.]
WILLIAM J. FAUX,	[L. S.]
WILLIAM H. SEYFERT,	[L. S.]
J. QUINCY HUMSICKER.	[L. S.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of August, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said state [G. S.] at the city of Charleston, this ninth day of August, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE INDEPENDENT AUTOMATIC PORTABLE GAS WORKS.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name and style of the Independent Automatic Portable Gas Works, of the City of Washington, in the District of Columbia, for the purpose of the manufacture and sale of illuminating gas, and the purification of gas manufactured by others, within the several states, and the territories of the United States, and the District of Columbia; also for the manufacture and sale of new and useful machines, devices and apparatus for the manufacture and purification of illuminating gas, within the territory aforesaid. Which corporation shall keep its principal office or place of business in the City of Washington, District of Columbia, and is to expire on the seventeenth day of August, in the year, 1936. And for the

purpose of forming the said corporation, we have subscribed the sum of five hundred (\$500) dollars to the capital thereof and have paid in on said subscription the sum of fifty dollars (\$50) and we desire the privilege of increasing the said capital stock, by the sale of additional shares from time to time, to five hundred thousand (\$500,000) dollars in all. The capital stock so subscribed is divided into shares of one hundred (\$100) dollars each, which are held by the undersigned respectively as follows, that is to say:

By Silas O. Hemenway, of Washington, D. C., one share;

By Lewis F. Stutz, of Washington, D. C., one share;

By Ralph Meriman, of Washington, D. C., one share;

By R. S. Lawrence, of Washington, D. C., one share;

By G. S. Ellenger, Jr., of Washington, D. C., one share;

All the capital stock to be hereafter sold, is to be divided into shares of the like amount, of one hundred (\$100) dollars each.

Given under our hands this 17th day of August, A. D., 1886.

SILAS O. HEMENWAY,

L. F. STUTZ,

RALPH MERIMAN,

R. S. LAWRENCE,

G. S. ELLENGER, JR.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the seventeenth day of August, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this twenty-eighth day of August, eighteen hundred and eighty-six.

HENRY S. WALKER,

*Secretary of State.*

## THE GUNTER OIL COMPANY.

### INCREASE OF CAPITAL STOCK.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that William S. Edwards, president of "The Gunter Oil Company," a corporation created under the laws of West Virginia, has certified to me under his hand and the common seal of said corporation, that at a meeting of the stockholders of said corporation held at 100 Diamond street, Pittsburgh, Pa., on the 31st of August, 1886, at which meeting all the stockholders of said corporation were present, the following resolution was unanimously adopted:

*Resolved*, That the number of shares of the capital stock of said company be increased to 6,000 shares in all; and that the par

value of each share be reduced from \$100 to \$50, this making the fixed capital of the company \$300,000; and

*Resolved*, That the president of this company be directed to duly certify such increase in the capital stock and reduction of the par value to the secretary of state of West Virginia, as provided by ch. 54, secs. 21 and 22 of the Code.

Wherefore, I do declare said increase of the capital stock of said company and said reduction of the par value of the shares to be authorized by law.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 7th day of September, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

---

#### PITTSBURG-KANAWHA COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that Wm. S. Edwards, president of the Gunter Oil Company, a corporation created under the laws of West Virginia, has certified to me under his hand and the common seal of said corporation that at a meeting of the stockholders of said corporation held at 100 Diamond street, Pittsburg, Penn., on the 31st of August, 1886, at which meeting all the stockholders of said corporation were present, the following resolution was unanimously adopted:

*Resolved*, That the name of this company be and hereby is changed from that of the Gunter Oil Company to that of the Pittsburg—Kanawha Company, by which name it shall be hereafter known and act; and

*Resolved*, That the president of this company be authorized and directed to notify the secretary of state of West Virginia, of this change of name pursuant to chapter 54, section 12, of the code.

Wherefore, I declare said change of name as set forth in said resolution to be authorized by law, and declare that said company shall hereafter be known as the Pittsburg—Kanawha Company.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this seventh day of September, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

---

#### THE ACME TELEPHONE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and



accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Acme Telephone Company," for the purpose of constructing, maintaining, operating, acquiring, manufacturing, selling, leasing and renting telephones and electrical instruments and appliances and lines, for the use of individuals, firms, corporations, municipal and otherwise for general business, and for police, fire alarms, or messenger business, and all other business relating to the use thereof, and for the purchase or acquirement by royalty or otherwise of patented or other articles, and the right to make, use and vend the same, and to authorize others to make, use and sell by royalty or otherwise said articles. Which corporation shall keep its principal office or place of business at Philadelphia, in the county of Philadelphia, and state of Pennsylvania, and is to expire on the 31st day of August, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of four hundred and fifty dollars to the capital thereof, and I have paid in on said subscriptions the sum of four hundred and fifty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to three hundred thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively, as follows, that is to say :

By Thomas M. Allison, Philadelphia, five shares ;  
 By Theo. T. Keckler, Philadelphia, five shares ;  
 By Nathan L. Jones, Jr., Philadelphia, five shares ;  
 By H. F. Chamberlain, Philadelphia, five shares ;  
 By Thos. C. Balderston, Philadelphia, five shares ;  
 By Jno. Armitage, Philadelphia, five shares ;  
 By H. R. Lukens, Philadelphia, five shares ;  
 By Robert M. Laycock, Philadelphia, five shares ;  
 By James K. Hamilton, Philadelphia, five shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 31st day of August, 1886.

THOS. M. ALLISON,  
 THEO. T. KECKLER,  
 NATHAN L. JONES, JR.,  
 H. F. CHAMBERLAIN,  
 THOS. C. BALDERSTON,  
 JNO. ARMITAGE,  
 H. R. LUKINS,  
 ROBT. M. LAYCOCK,  
 JAS. K. HAMILTON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the thirty-first day of August, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this ninth day of September, 1886.

HENRY S. WALKER,  
*Secretary of State.*

## THE KEYSTONE MANUFACTURING COMPANY.

### INCREASE OF CAPITAL STOCK.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that Edwin Baltzley, president of the Keystone Manufacturing Company, a corporation created under the laws of West Virginia, has certified to me, under his signature and the common seal of the said company, that at a meeting of the stockholders of said company held at Philadelphia, in pursuance of law, the following resolution was unanimously adopted, all the stock of said company being present and voting therefor:

*Resolved*, That the capital stock of this company be increased from one hundred thousand dollars to five hundred thousand dollars, and that the same be represented by shares of five dollars each, as provided in the certificate of incorporation.

Wherefore, I declare said increase of capital stock, as set forth in said resolution, to be authorized by law.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this twenty-fourth day of September, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE INCANDESCENT GAS LIGHT COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that D. Z. Evans, president of the Incandescent Gas Light Company, a corporation created under the laws of West Virginia, has certified under his signature and the common seal of the said company attested by E. Hutchinson, its secretary, that at a meeting of the stockholders of said company held pursuant to notice for the purpose at No. 223 South Sixth street, Philadelphia, on the 18th day of September, A. D., 1886, all the capital stock of said company being represented the following resolution was unanimously adopted, and signed by the stock holders, the number of shares held by each being annexed to their respective names. On motion of M. M. Owens, seconded by E. Hutchinson, it was

*Resolved*, That the present capital stock of the Incandescent Gas Light Company be and hereby is increased to one hundred

thousand shares of a par value of five dollars each, by adding to the present capital ninety-nine thousand nine hundred additional shares.

D. Z. Evans, 20 shares;  
 M. M. Owens, 20 shares;  
 Henry W. Williams, 20 shares;  
 Burd. P. Evans, 20 shares;  
 E. Hutchinson, 20 shares.

Wherefore, I declare said increase of capital stock to be authorized by law as set forth in said resolution

Given under my hand and the great seal of said state,  
 [G. S.] at the city of Charleston, this 24th day of September  
 eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### SAFETY ELECTRIC RAILWAY AND POWER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of Safety Electric Railway and Power Company, for the purpose of manufacturing, owning, purchasing, selling, letting, operating and licensing the use of various machines and apparatus now used or which may be used in producing and distributing of power, light and heat or any of them and all machinery therewith connected, and to purchase and acquire patents and licenses therefor, and inventions or any improvements in relation thereto, and also to sell rights and licenses to use the same or any of them and generally to transact all business connected therewith. Which corporation shall keep its principal office or place of business at the city of New York, in the county of New York and State of New York, and is to expire on the first day of September, 1936. And for the purpose of forming the said corporation we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time to eight hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

By John Murray Mitchell, 60 W. 9th St., New York City, N. Y., five shares;

By Kerrick Riggs, 228 Madi on Av., New York City, N. Y., two shares;

By J. Edward Weld, 119 East 23d St., New York City, N. Y., one share;

By Louis L. Rolland, 266 East 10th St., New York City, N. Y., one share;

By Emil A. July, 326 First Av., New York City, N. Y., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount, making in all eight thousand shares of one hundred dollars each.

Given under our hands this 29th day of September, 1886.

JOHN MURRAY MITCHELL,  
KARRICK RIGGS,  
J. EDWARD WELD,  
LOUIS L. ROLLAND,  
EMIL A. JULY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of September, nineteen hundred and thirty six, a corporation by the name for and the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this first day of October, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

---

### MAYHEW MANUFACTURING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Mayhew Manufacturing Company, for the purpose of manufacturing, selling or leasing druggists' cabinets or cases for poisonous drugs, and other cabinets, cases or receptacles of a kindred nature, and for articles other than drugs, as manufacturers, dealers and leasees of such cabinets, cases or receptacles, which corporation shall keep its principal office or place of business in the city, county and state of New York, and is to expire on the first day of October, A. D. 1936. And for the purpose of forming the said corporation, we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars; and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By Stephen T. Fox, New York City, 2 shares;

By William K. Ross, Clifton, N. J., 2 shares ;  
 By Chas. H. Raymond, New York City, 2 shares  
 By William C. Page, New York City, 2 shares ;  
 By Herbert A. Fuller, New York City, 2 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this ninth day of October, A. D. 1886.

STEPHEN T. FOX,  
 WM. K. ROSS,  
 CHARLES H. RAYMOND,  
 WM. C. PAGE,  
 HERBERT A. FULLER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of October, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this eleventh day of October, eighteen hundred and eighty six.

HENRY S. WALKER,  
*Secretary of State.*

---

## THE NATIONAL LIFE AND MATURITY ASSOCIATION OF WASHINGTON, D. C.

### AMENDMENT OF CHARTER.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that Horatio Browning, president of The National Life and Maturity Association of Washington, D. C., has this day certified to me, under his signature and the corporate seal of said company, that at a meeting of the stockholders thereof, which was duly called and held at the office of said company, at Washington, D. C., on the 29th day of September, 1886, the following amendments to the charter of The National Life and Maturity Association were adopted:

*Resolved*, That the agreement for the formation of The National Life and Maturity Association of Washington, D. C., filed in the office of the secretary of state of the state of West Virginia, February 2, 1884, be amended in accordance with the provisions of section 10, chapter 54, code of West Virginia, so as to enable the association, in addition to the issuing of the certificates of insurance provided for in said agreement, to transact a general life insurance business according to any plan now in existence or that may hereafter be devised. And that the paragraph of said agreement defining the objects and purposes of said association,

be amended so as to read as follows: "The undersigned agree to become a corporation by the name of The National Life and Maturity Association of Washington, D. O., for the purpose of issuing certificates of insurance to mature within a certain specified period, provided the holder thereof lives so long, and in the event of death before the expiration of said period to pay a certain proportion of said amount according to the number of years the insured may live, said amount to be paid out of a maturity fund to be derived from assessments upon the certificate holders in accordance with the terms of the application, the certificates, and the by-laws of the association, and, in addition, to transact a general life insurance business according to any plan now in existence, or that may hereafter be devised."

Given under our hands and seals this 29th day of September, 1886.

H. BROWNING,	[Seal.]
P. S. RIDDELLE,	[Seal.]
J. H. HEIZER,	[Seal.]
ROBERT BOYD,	[Seal.]
FRANK HUME,	[Seal.]
JOHN B. LARNER,	[Seal.]
JAMES L. NORRIS,	[Seal.]
REUBEN F. BAKER,	[Seal.]
SAMUEL CEAS,	[Seal.]
JAMES L. BARBOUR,	[Seal.]
CLARENCE F. NORMENT,	[Seal.]
SAMUEL NORMENT,	[Seal.]
ROBERT O. HOLTZMAN,	[Seal.]

Wherefore, the said proposed amendments are hereby declared to be authorized by law.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 14th day of October, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE DISTRICT OF COLUMBIA GAS-LIGHT COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name and style of The District of Columbia Gas-Light Company, of the city of Washington, in the District of Columbia, for the purpose of the manufacture and sale of illuminating gas, and the purification of gas manufactured by others, within said district of Columbia, which corporation shall keep its principal office or

place of business in the city of Washington, District of Columbia, and is to expire on the nineteenth day of October, in the year 1936. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars (\$500) to the capital thereof, and have paid in on said subscription, the sum of one hundred dollars (\$100), and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one hundred thousand dollars (\$100,000) in all. The capital stock so subscribed is divided into shares of one hundred dollars (\$100) each, which are held by the undersigned, respectively, as follows, that is to say:

By C. W. Spofford, of Washington, D. C., 1 share;

By M. D. Peck, of Washington, D. C., 1 share;

By J. Rush Marshall, of Washington, D. C., 1 share;

By Alonzo H. Stewart, of Washington, D. C., 1 share;

By Henry D. Saxton, of Washington, D. C., 1 share.

All the capital stock to be hereafter sold, is to be divided into shares of the like amount of one hundred dollars (\$100) each.

Given under our hands this 19th day of October, A. D. 1886.

CALEB W. SPOFFORD,  
M. D. PECK,  
J. RUSH MARSHALL,  
ALONZO H. STEWART,  
HENRY D. SAXTON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the nineteenth day of October, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty first day of October, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### THE GOLD MINING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Gold Mining Company, (location, Music M's., Mojave county, Arizona), for the purpose of purchasing, owning, controlling and selling gold and silver mines, and of organizing and working the same, and all that pertains thereto; especially for the working and mining claims known as the Ellen Jane and Tommanotta, in

said locality. Stock to be full paid and non-assessable. Which corporation shall keep its principal office or place of business at Washington, in the District of Columbia, and is to expire on the 12th day of October, 1935. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred dollars (\$100) to the capital thereof, and have paid in on said subscription, the sum of ten dollars (\$10), and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to six hundred and twenty-five thousand dollars in all. The capital so subscribed is divided into shares of one dollar (\$1.00) each, which are held by the undersigned, respectively, as follows, that is to say:

By Jno. B. Shipman, Coldwater, Michigan, twenty shares;

By Daniel Breed, Washington, D. C., twenty shares;

By Clarke P. Crandall, Washington, D. C., twenty shares;

By William S. Odell, Washington, D. C., twenty shares;

By William Grinsted, Washington, D. C., twenty shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this 12th day of October, 1886.

JNO. B. SHIPMAN,  
DANIEL BREED,  
CLARK P. CRANDALL,  
WILLIAM S. ODELL,  
WM. GRINSTEAD, M. D.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twelfth day of October, nineteen hundred and thirty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-first day of October, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE IMPROVEMENT AND CONSTRUCTION COMPANY.

### DISSOLUTION.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that Richard H. Morris, president of The Improvement and Construction Company, a corporation duly created under the laws of the state of West Virginia, has this day certified to me, under his signature and the corporate seal of said company, attested by Wm. Stiles, secretary, that at a meeting of the stockholders of said company duly called, and held on the



26th day of October, 1886, the following resolution was unanimously adopted :

*Resolved*, That this company discontinue business forthwith; that all the property and assets of the company be divided by the treasurer among the stockholders; that such distribution take place December 20, 1886; and that for all purposes this corporation shall be deemed to have been dissolved as of the date of this meeting.

Wherefore, I do declare The Improvement and Construction Company to be dissolved, as proposed by said resolution, from and after this date.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this first day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE PITTSBURGH AND SOUTHERN COAL COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Pittsburgh and Southern Coal Company," for the purpose of buying and selling coal; which corporation shall keep its principal office or place of business at Pittsburgh, in the county of Allegheny, and state of Pennsylvania, and is to expire on January 1st, A. D., 1930. And for the purpose of forming the said corporation, we have subscribed the sum of ten thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one thousand dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say :

By Samuel S. Brown, Pittsburgh, Pa., 12 shares;

By Simpson Horner, Allegheny, Pa., 11 shares;

By Joseph Walton, Pittsburgh, Pa., 11 shares.

By W. W. O'Neil, Elizabeth, Pa., 11 shares;

By Samuel L. Wood, Pittsburgh, Pa., 11 shares;

By John C. Risher, Dravosburgh, Pa., 11 shares,

By Joseph B. Williams, Sewickley, Pa., 11 shares;

By Thomas Fawcett, Pittsburgh, Pa., 11 shares;

By Florence Marmet, Cincinnati, Ohio, 11 shares.

Given under our hands this 15th day of October, A. D., 1886.

SAM'L S. BROWN, [Seal.]  
SIMPSON HORNER, [Seal.]

JOSEPH WALTON,	[Seal.]
W. W. NEIL,	[Seal.]
SAMUEL D. WOOD,	[Seal.]
JOHN C. RISHER,	[Seal.]
JOS. B. WILLIAMS,	[Seal.]
THOMAS FAWCETT,	[Seal.]
FLORENCE MARMET,	[Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of January, nineteen hundred and thirty, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this fourth day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

#### THE BLACKSTONE PUBLISHING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Blackstone Publishing Company, and for the purpose to carry on the business of manufacturing and selling law and miscellaneous books; to make contracts with authors, publishers, individuals, corporations, or firms that may do business with said company, or contract for printing, reprinting, stereotyping, paper, binding or for anything entering into the manufacturing of law or miscellaneous books, or purchase and own copyright, stereotype plates, books in sheets, or bound, or in course of manufacture, and for the purchasing of right to print and issue books, and dispose of the same, as well as all rights acquired by such purchase or purchases, and to have the right to lease any such rights on such terms as may be agreed upon, or employ agents, firms or corporations, to sell all such books manufactured or bought by the said company, either by the plan known as "by subscription" or otherwise, or for the purpose of making contracts with others on behalf of said corporation and making any other contracts or leases, carrying out the intentions of said company and having all the rights, powers, privileges and franchises incident to and granted to corporations organized by virtue of the laws of West Virginia. Which corporation shall keep its principal office or place of business at Philadelphia, in the county of Philadelphia, and state of Pennsylvania, and is to expire on the first day of November, 1906. And for the purpose of forming the said corporation

we have subscribed the sum of fifty dollars to the capital thereof, and have paid in on said subscription the sum of fifty dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to 50,000 dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are fully paid, unassessable, and which are held by the undersigned respectively as follows, that is to say :

By Rees Welsh, 19 So. 9th St., one share ;

By Bernard Hooper, 19 So. 9th, St., one share ;

By Thomas J. Town, 529 Chestnut St., one share ;

By Thomas J. Cooke, 702, Brown St., one share ;

By Charles H. Edson, 1720 North 20th St., one share ,

All of the city of Philadelphia, State of Pennsylvania.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 27th day of October, 1886.

REES WELSH,  
BERNARD HOOPER,  
THOMAS J. TOWN,  
THOS. J. COOKE,  
CHAS. H. EDSON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of November, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this fourth day of November, 1886.

HENRY S. WALKER,  
*Secretary of State.*

---

### STANDARD GAS MACHINE AND PORTABLE GAS LAMP COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of Standard Gas Machine and Portable Gas Lamp Company, for the purpose of the manufacture and sale of illuminating gas and the purification of gas manufactured by others, within the several states and territories of the United States and the District of Columbia, and also for the manufacture and sale of machines, apparatus or devices for generating gas from oil and air, for purposes of illumination, heat or power, and for making and selling lamps

which generate gas from oil or air, and to license others to make and sell such machines, apparatus, devices and lamps, and to sell rights under patents now granted, or to be granted and which are now applied for, or which may hereafter be applied for, in the name of Orson W. Bennett, of Washington, in the District of Columbia; and for the purchase and procurement of new and useful inventions for the manufacture and purification of gas for purposes of illumination, heat or power, and for the manufacture and sale of same and the disposal of rights to others to manufacture and sell such machines, apparatus and devices, within the several states and territories of the United States and District of Columbia. Which corporation shall keep its principal office or place of business at Washington, in the county of Washington and District of Columbia, and is to expire on the 4th day of November, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of three thousand dollars to the capital thereof, and have paid in on said subscription the sum of three hundred dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively, as follows, that is to say:

By Orson W. Bennett, Washington, D. C., 15 shares;  
 By W. B. Matthews, Washington, D. C., 2½ shares;  
 By B. F. Crawshaw, Washington, D. C., 2½ shares;  
 By F. W. Clements, Washington, D. C., 2½ shares;  
 By Joseph F. Birch, Jr., Washington, D. C., 2½ shares;  
 By B. F. Gardner, Washington, D. C., 2½ shares;  
 By John L. Burkart, Washington, D. C., 2½ shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 4th day of November, 1886.

ORSON W. BENNETT,  
 W. B. MATTHEWS,  
 B. F. CRAWSHAW,  
 B. F. GARDNER,  
 JOHN L. BURKART,  
 JOSEPH F. BIRCH,  
 F. W. CLEMENTS.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the fourth day of November, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this tenth day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## LANSTON TYPE MACHINE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Lanston Type Machine Company, for the purpose of owning, controlling, developing and operating the inventions and devices of type making and composing machinery invented by Mr. Tolbert Lanston and others; and to manufacture, sell, lease or license machines, under the patents covering such inventions and devices; and for the further purpose of acquiring, owning and holding property both real and personal, requisite to the accomplishment of the purposes above set forth. Which corporation shall keep its principal office or place of business at Washington City, District of Columbia, and is to expire on the first day of November, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of seven thousand two hundred and twenty dollars (\$7,220) to the capital thereof, and have paid in on said subscription the sum of seven hundred and twenty dollars (\$720); and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one million dollars in all.

The capital so subscribed is divided into shares of twenty dollars each, which are held by the undersigned, respectively, as follows, that is to say:

- By M. J. Wine, Washington, D. C., nineteen shares;
- By J. L. Johnson, Washington, D. C., six shares;
- By W. Clarence Duvall, Washington, D. C., fifty shares;
- By Tolbert Lanston, Washington, D. C., ten shares;
- By B. F. Cole, Washington, D. C., fifty shares;
- By W. H. Hocke, Washington, D. C., fifty shares;
- By Louis D. Wine, Washington, D. C., five shares;
- By H. H. Lockwood, Washington, D. C., one hundred shares;
- By John G. Judd, Washington, D. C., twenty-five shares;
- By Geo. Gibson, Washington, D. C., five shares;
- By M. G. Emery, Washington, D. C., twenty-five shares;
- By Rufus H. Darby, Washington, D. C., five shares;
- By J. F. Abel, Washington, D. C., one share;
- By Jas. H. Marr, Washington, D. C., ten shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this 6th day of November, 1886.

M. J. WINE,  
 I. L. JOHNSON,  
 W. CLARENCE DUVAL,  
 TOLBERT LANSTON,  
 B. F. COLE,  
 W. H. HOCKE,  
 LOUIS D. WINE,

H. H. LOCKWOOD,  
 JOHN G. JUDD,  
 GEO. GIBSON,  
 M. G. EMERY,  
 RUFUS H. DARBY,  
 J. F. ABEL,  
 JAS. H. MARR.

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of November, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 13th day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### HOUSE IMPROVED TELEPHONE COMPANY.

I, Henry S. Walker, secretary of state, of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the House Improved Telephone Company, for the purpose of manufacturing, buying, selling, leasing and licensing, electric and mechanical telephones and all apparatus and appliances for operating telephones, telegraph lines and systems; automatic, autographic, printing and visual telegraph instruments; electric plating machinery; medical apparatus; time systems annunciators and signals; thermo, chemical and storage batteries; electric bells, alarms and clocks, conductors, underground or overhead cables, governors, dynamometer; gas lighters; arc and incandescent lamps; motors and generators; and also electric conduits, electric light, telephone, telegraph and signal plants, electric carrier and railway cars and dynamos and electric ore reducing apparatus and machinery and the buying and selling of rights, privileges and licenses for patented inventions and procuring and operating different kinds of machinery for producing light, heat and power, and for buying, selling, owning and exchanging real property, and for the purpose of investing for the benefit of this corporation all profits or surplus moneys arising in the course of business; which corporation shall keep its principal office or place of business, either in the village of Piedmont, in the county of Mineral, in the state of West Virginia, or in the city of Philadelphia, in the county of Philadelphia, in the state of Pennsylvania, or in the

city of New York, in the county of New York, and state of New York, and is to expire on the thirty-first day of October, A. D., 1936; and for the purpose of forming the said corporation we have subscribed the sum of five hundred dollars, (\$500) as the capital thereof, and have paid in on said subscriptions the sum of five hundred dollars (\$500) and desire the privilege of increasing the said capital stock by the sale of additional shares from time to time, to the maximum of one million dollars (\$1,000,000). And the capital stock to be hereafter sold is to be divided into shares of twenty five dollars (\$25) each, or stock may be issued in payment for the purchase of real or personal property or debts of the corporation, at prices satisfactory to the corporation. And the corporation may execute deeds of trust or mortgages and issue bonds thereunder for the purchase of real or personal estate or the payment or discharge or fulfillment of their contract. The capital so subscribed is divided into shares of twenty-five dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By James J. Cooper, Philadelphia, Penn., 4 shares;  
 By Wilbur F. Hoffman, Philadelphia, Penn., 4 shares;  
 By Thomas B. Hoffman, Philadelphia, Penn., 4 shares;  
 By Thomas W. Barlow, Philadelphia, Penn., 4 shares;  
 By Nicholas F. Hoffman, Philadelphia, Penn., 4 shares.

Given under our hands this fifth day of November, A. D. 1886.

JAMES J. COOPER,  
 W. F. HOFFMAN,  
 THOMAS B. HOFFMAN,  
 THOMAS W. BARLOW,  
 N. F. HOFFMAN.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the thirty-first day of October, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this fifteenth day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## GEORGES RIVER MINING AND MANUFACTURING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of

the "Georges River Mining and Manufacturing Company," whose names and places of residence are James A. Fisher, of the city of Brooklyn, James V. Redmond, of the city of New York, George M. Hannam, of the city of Brooklyn, Thomas Fain, of the city of New York, and William Proctor, Charles P. Moffatt, John McLean, citizens of North Sydney, Nova Scotia, being desirous of forming a corporation under the statutes of the state of West Virginia, relating to the forming of corporations and joint stock companies for manufacturing, mining, insuring and other purposes, as in force June first, in the year eighteen hundred and eighty-five. The undersigned, being a majority of the directors and citizens of the United States, for themselves and their associates who have subscribed and paid for the necessary quantity of stock in said corporation to qualify them as incorporators, and hereby agree to become a corporation by the name of the "Georges River Mining and Manufacturing Company," for the purpose of the purchase and sale, operation and development of certain mining property situated near North Sydney, in the province of Nova Scotia, and for the purchase and sale of leases appertaining thereto, and the operating and development of other mineral loads, ledges and deposits in the said province. Also the construction, institution and working of reduction works or mills for the reduction, milling and the amalgamation of such ores, and to continue in existence for fifty years from November first, eighteen hundred and eighty-six. The capital stock of said company shall be five hundred thousand dollars, divided into fifty thousand shares of ten dollars each. Which corporation shall keep its principal office or place of business at the city of New York, in the county of New York, and in the state of New York, and is to expire on the first day of November, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of three hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of three hundred and fifty dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to one million dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively as follows, that is to say:

By Thomas Faine, 230 East Thirty-fifth street, New York, five shares;

By James V. Redmond, 337 West Fortieth street, New York, five shares;

By James A. Fisher, 350 Macon street, Brooklyn, five shares;

By John McLean, North Sydney, Nova Scotia, per L. G. McKam, attorney, five shares;

By Wm. Proctor, North Sydney, Nova Scotia, per L. G. McKam, attorney, five shares,

By C. P. Moffatt, North Sydney, Nova Scotia, per L. G. McKam, attorney, five shares;

By George M. Hannam, 125 Eleventh street, Brooklyn, five shares.



And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 30th day of October, 1886.

THOMAS FAINE,  
JAMES V. REDMOND,

JOHN MCLEAN,

*Per L. G. McKam, his attorney,*

WM. PROCTOR,

*Per L. G. McKam, his attorney,*

C. P. MOFATT,

*Per L. G. McKam, his attorney,*

JAMES A. FISHER,

GEO. M. HANNAM.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of November, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 16th day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE AMERICAN MARINE AND CANAL PROPELLER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The American Marine and Canal Propeller Company," for the purpose of taking out, purchasing, owning and selling letters patent of the United States of America and elsewhere for certain new and useful improvements in boat and ship propellers, of manufacturing and selling or having manufactured and sold said propellers, of granting licenses for their manufacture, use and sale in the United States and elsewhere, and also for conducting, carrying on and transacting a general merchandise and manufacturing business. Which corporation shall keep its principal office or place of business at Philadelphia, in the county of Philadelphia, and state of Pennsylvania, and is to expire on the fifteenth day of November, A. D., 1936. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the

sum of five hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to five hundred thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively, as follows, that is to say :

By Daniel Steinmetz, Jr., Philadelphia, Pa., ten shares ;

By George E. Collidge, Philadelphia, Pa., ten shares ;

By Charles F. Ziegler, Philadelphia, Pa., ten shares ;

By Philip J. Steinmetz, Philadelphia, Pa., ten shares ;

By Henry K. Steinmetz, Philadelphia, Pa., ten shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 13th day of November, A. D., 1886.

DANIEL STEINMETZ, JR.,

GEO. E. COLLIDGE,

CHARLES F. ZIEGLER,

PHILIP J. STEINMETZ,

HENRY K. STEINMETZ.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the fifteenth day of November, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this seventeenth day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,

*Secretary of State.*

## STANDARD CANCELLING BALLOT-BOX COMPANY.

### INCREASE OF CAPITAL STOCK

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that Charles Houghton, president of the Standard Cancellling Ballot-Box Company, a corporation duly established under the laws of West Virginia, has certified to me, under his hand, attested by the common seal of the said corporation, that at a special meeting of the stockholders thereof, held in accordance with law at the office of said company, in Boston, Massachusetts, on the thirteenth day of November, 1886, the following resolution was adopted, a majority of said stock being present and voting therefor :

*Resolved,* To increase the number of shares of the capital stock of the Standard Cancellling Ballot-Box Company, from one hundred thousand shares to one hundred and fifty thousand shares, at their present par value of five dollars each share.

Wherefore, I do declare said increase of capital stock, as set forth in said resolution, to be authorized by law.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 22nd day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE KNOXVILLE ILLUMINATING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name and style of The Knoxville Illuminating Company, of the city of Knoxville, in the county of Knox, state of Tennessee, for the purpose of the manufacture and sale of illuminating gas and the purification of gas manufactured by others, within the said county of Knox, Tennessee. Which corporation shall keep its principal office or place of business in the city of Knoxville, Tennessee, and is to expire on the nineteenth day of October, in the year 1936. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars (\$500) to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars (\$100), and we desire the privilege of increasing the said capital stock, by the sale of additional shares from time to time, to fifty thousand (\$50,000) dollars in all. The capital stock so subscribed is divided into shares of one hundred (\$100) dollars each, which are held by the undersigned respectively as follows, that is to say:

By A. L. Maxwell, of Knoxville, Tenn., one share;

By B. A. Jenkins, of Knoxville, Tenn., one share;

By Jno. J. Craig, Jr., of Knoxville, Tenn., one share;

By R. W. Austin, of Knoxville, Tenn., one share;

By Peter Ritter, of Knoxville, Tenn., one share.

All the capital stock to be hereafter sold is to be divided into shares of the like amount of one hundred-dollars (\$100) each.

Given under our hands this twenty-second day of November, A. D., 1886.

A. L. MAXWELL,  
B. A. JENKINS,  
JNO J. CRAIG, JR.  
R. W. AUSTIN,  
PETER RITTER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the nineteenth day of

October, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-ninth day of November, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### THE AMERICAN COAL AND TIMBER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the American Coal and Timber Company, for the purpose of buying, owning and leasing timber, coal, other mineral and agricultural lands in the state of West Virginia and elsewhere; and to cut and remove logs; to manufacture and sell lumber; to buy and sell stumpage logs, timber and lumber; to construct, own and operate saw-mills and other mills for the manufacture of wooden products; to carry on the business of mining and dealing in coal and other minerals, and to manufacture and deal in coke; to purchase and sell goods, wares and merchandise by wholesale and retail; and to construct, own and operate roads, railroads, bridges, tramways, wharfs, storehouses, lumber-yards, rafts and boats that may be necessary in such business; and to hold, lease and purchase such real estate and personal property, and to do such other acts as may be necessary in all the different branches of mining and dealing in timber and lumber, coal and other minerals; and to conduct such other business as may be advantageous and incidental to mining of coal and other minerals and cutting of timber and dealing in same in any and all its various branches. Which corporation shall keep its principal office or place of business in the city, county and state of New York, and also maintain an office at Charleston, county of Kanawha, state of West Virginia, and is to expire on the third day of December, in the year of our Lord, one thousand nine hundred and thirty-six. That for the purpose of forming the said corporation we have subscribed the sum of one thousand dollars (\$1,000) to the capital thereof, and have paid in on said subscription the sum of one hundred dollars, (\$100), and desire the privilege of increasing the said capital by the sale of additional shares from time to time to one million dollars (\$1,000,000) in all. The capital so subscribed is divided into shares of one hundred dollars (\$100) each, which are held by the undersigned, respectively, as follows, that is to say:

By George B. Hibbard, New York, two shares;

By Harris Hoyt, New York, two shares;

By Seymour P. Thomas, New York, two shares ;

By Henry Alton, New York, two shares,

Daniel W. Sisson, Brooklyn, two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this third day of December, A. D. 1886.

GEO. B. HIBBARD, [Seal.]

HARRIS HOYT, [Seal.]

SEYMOUR P. THOMAS, [Seal.]

HENRY ALTON, [Seal.]

D. W. SISSON, [Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the third day of December, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this sixth day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

### SHAW LUMBER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

1. We, the subscribers, Moses A. Shaw, Winfield S. Simpson, William C. Jones, James O. Drum and Andrew J. Ensign, with the design and intention of forming a company for the purpose of carrying on the business hereinafter mentioned, pursuant to and in conformity with the laws of the state of West Virginia, authorizing the formation of manufacturing corporations, do hereby associate ourselves together and agree to become a corporation by the name of the Shaw Lumber Company.

2. The objects for which said company is formed are as follows: To manufacture lumber in all its various branches; to prepare the same for market; to buy, sell and deal in the same; to buy timber and timber lands for the purpose of its business.

3. The principal office or place of business of said corporation shall be in the city of New York, in the county and state of New York; the principal place of business in West Virginia shall be at Shaw City, in the county of Tucker.

4. The period at which said company shall commence is the first day of December, in the year eighteen hundred and eighty-

six, and the period at which it shall terminate is the first day of December, in the year nineteen hundred and thirty-six.

5 That the amount of the capital stock of said company is five hundred thousand dollars, divided into five thousand shares, and the par value of each share is one hundred dollars.

6. For the purpose of forming the said corporation, we have subscribed the sum of five hundred thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty thousand dollars. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say :

By Moses A. Shaw, Towanda, Pa., 4,960 shares;

By Winfield S. Simpson, Towanda, Pa., 10 shares;

By William C. Jones, New York City, N. Y., 10 shares;

By James O. Drum, New York City, N. Y., 10 shares;

By Andrew J. Ensign, New York City, N. Y., 10 shares;

In witness whereof we have hereunto set our hands and seals, this first day of December, in the year A. D. 1886.

M. A. SHAW, [Seal.]

W. S. SIMPSON, [Seal.]

WM. C. JONES, [Seal.]

J. O. DRUM, [Seal.]

A. J. ENSIGN, [Seal.]

*Signed, sealed and delivered*  
*in the presence of*  
AUGUST HAPPELL,  
T. P. HOLDRIDGE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of December, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this eighth day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,

*Secretary of State.*

---

## THE CHASE IMPROVED COLD BLAST REFRIGERATOR CAR COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Chase Improved Cold Blast Refrigerator Car Company, for the purpose of buying, building, fitting up, operating, running,

leasing, selling and otherwise using or granting the right to use refrigerator cars, heater cars and combinations of the same for freighting purposes; and also buying, building, fitting up, operating, running, leasing, selling and otherwise using or granting the right to use passenger cars containing heating, refrigerating and ventilating devices or apparatus; which corporation shall have its principal office or place of business in the city, county and state of New York, and is to expire on the first day of December, in the year nineteen hundred and thirty-six. And for the purpose of forming said corporation we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to three hundred thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By Andrew J. Chase, of Boston, Mass., 2 shares;

By Warren A. Chase, of Boston, Mass., 2 shares;

By Edward Hamilton, of Boston, Mass., 2 shares;

By Charles Babbridge, of Brooklyn, N. Y., 2 shares;

By Frederick W. Coyne, of Elizabeth, N. J., 2 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this 6th day of December, A. D., 1886.

ANDREW J. CHASE,  
WARREN A. CHASE,  
EDWARD HAMILTON,  
CHAS. BABBRIDGE,  
FRED. W. COYNE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of December, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this thirteenth day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE ELECTRICAL ANNUNCIATOR TARGET AND MANUFACTURING COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Electrical Annunciator Target and Manufacturing Company," for the purpose of constructing, maintaining, operating, selling, leasing or handling in every way the patent granted and to be granted to M. Ullman, for an electric annunciator target, his successors or assigns on his aforesaid electric annunciator target; also for the manufacture of any and all other electrical supplies and apparatus. Which corporation shall keep its principal office or place of business at Washington, District of Columbia, and this act of incorporation is to expire on the 13th day of December, 1936. And for the purpose of forming the said corporation, we have subscribed the sum of two hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time to five hundred thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say:

By M. Ullman, Washington, D. C., one share;

By H. Coggins, Washington, D. C., one share;

By M. Marean, Washington, D. C., one share;

By Phil. B. Thompson, Jr., Harrodsburg, Ky., one share;

By J. A. Hutchison, Washington, D. C., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 13th day of December, 1886.

M. ULLMAN,  
H. COGGINS,  
J. A. HUTCHISON,  
M. MAREAN,  
PHIL B. THOMPSON, JR.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the thirtieth day of December, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this sixteenth day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE SUPERIOR WAX PAPER COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavit, has been this day de-



livered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Superior Wax Paper Company, for the purpose of manufacturing and selling wax and other paper, and to buy, sell, lease and deal generally in such property, real, personal or mixed, as may be necessary to that end; which corporation shall have its principal office or place of business in the city of Boston, state of Massachusetts, and is to expire on the first day of December, in the year nineteen hundred and thirty six. And for the purpose of forming the said corporation we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to one hundred and fifty thousand dollars in all. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

By James A. Riedell, of Boston, Mass., two shares;

By Franklin B. Riedell, of Boston, Mass., two shares;

By Otis L. Prescott, of Boston, Mass., two shares;

By Frederick W. Coyne, of Elizabeth, N. J., two shares;

By Thomas W. Pevice, of Dover, N. H., two shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this ninth day of December, A. D. 1886.

JAMES A. RIEDELL,  
FRANKLIN B. RIEDELL,  
OTIS L. PRESCOTT,  
THOS. W. PEVICE,  
F. W. COYNE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the first day of December, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this seventeenth day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

### THE POTOMAC TELEGRAPH COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day de-

livered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the Potomac Telegraph Company, for the purpose of constructing, maintaining and operating lines of telegraph in the United States of America. Which corporation shall keep its principal office or place of business at Washington, in the District of Columbia, and is to expire on the twenty-sixth day of November, A. D. 1936. And for the purpose of forming the said corporation, we have subscribed the sum of two hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty-five dollars, and desire the privilege of increasing the said capital by the sale of additional shares from time to time, to one hundred thousand dollars in all. The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned, respectively, as follows, that is to say:

By Chas. C. Duncanson, Washington, D. C., one share;

By J. W. Boteler, 923, Penn. Ave., one share;

By B. F. Guy, 1045, Penn. Ave., Washington, D. C., one share;

By Franck Z. Maguire, 1116, Virginia Ave., Washington, D. C., one share;

By Charles R. Eberle, 13 Tenth St., S. E., Washington, D. C., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this twenty-sixth day of November, A. D., 1886.

CHAS. C. DUNCANSON,	[Seal.]
J. W. BOTELER,	[Seal.]
B. F. GUY,	[Seal.]
FRANCK Z. MAGUIRE,	[Seal.]
CHARLES R. EBERLE,	[Seal.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-sixth day of November, nineteen hundred and thirty-six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this twenty first day of December, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

---

THE WINE AND SPIRIT AGING AND MANUFACTURING  
COMPANY.

I, Henry S. Walker, secretary of state of the state of West Vir-

ginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned hereby agree to become a corporation by the name of The Wine and Spirit Aging and Manufacturing Company, for the purpose of purifying, aging and manufacturing distilled spirits, wines, and all other liquors under patents of the United States No. 229,223, issued June 22, 1880, No. 235,840, issued December 21, 1880, together with any improvements that may be made thereon; to manufacture said inventions and lease, sell and vend the same, and grant rights to others to make, use, lease, sell and vend the same, and to do any business necessary and material to the prosecution of the business pertaining thereto. Which corporation's principal office and place of business shall be at New York city, state of New York. Its charter is to expire fifty years from date; and for the purpose of forming said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing said capital stock, by the sale of additional shares from time to time, to the sum of one million dollars in all. The capital so subscribed is divided into shares of twenty five dollars each, which are held by the undersigned respectively, as follows, that is to say, viz:

By G. W. Lockwood, New York city, N. Y., four shares;  
 By J. William Lore, New York city, N. Y., four shares;  
 By H. C. Woodrow, New York city, N. Y., four shares;  
 By Hadio Rubira, Jr., New York city, N. Y., four shares;  
 By Edward R. Knowles, Brooklyn, N. Y., four shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this thirty-first day of December, 1886.

G. W. LOCKWOOD,  
 J. WILLIAM LORE,  
 H. C. WOODROW,  
 HADIO RUBIRA, JR.,  
 EDWARD R. KNOWLES.

Wherefore, the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the 31st day of December, nineteen hundred and thirty-six, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this third day of January, eighteen hundred and eighty-six.

HENRY S. WALKER,  
 Secretary of State.

## TRADERS BUILDING ASSOCIATION.

## REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that I have this day received from Hon. P. F. Duffy, auditor, a written communication in the words and figures following :

AUDITOR'S OFFICE, }  
STATE OF WEST VIRGINIA, }  
CHARLESTON, June 16th, 1886. }

HENRY S. WALKER,  
*Secretary of State,*

SIR :—It having been shown by affidavit of the treasurer of the Traders Building Association, of Parkersburg, West Virginia, that on or about the first day of March, the said treasurer did draw, and mail a check for \$10.00, numbered 1375, payable to the auditor of the state of West Virginia, addressed to Charleston, West Virginia ; the object of the said draft and remittance being the payment of the license tax due from said Traders Building Association for the year beginning May first, 1886 ; and it appearing further, that by reason of the failure of said remittance to reach its destination, the name of said "Traders Building association," was published from this office as having forfeited its charter under the provisions of sec. 8, of ch. 20, acts of 1885, legislature of West Virginia ; and the auditor being satisfied that the said draft and remittance were in good faith, a payment of the said license tax, you are therefore directed to strike from the list of companies forfeiting their charter for non-payment of license tax, the name of the said "Traders Building Association" of Parkersburg, West Virginia, as erroneously published and to return the same to the record of existing corporations chartered and authorized to transact business under the laws of the state of West Virginia.

P. F. DUFFY,  
*Auditor.*

And I do further certify that in conformity with the foregoing order I have stricken from the list of companies forfeiting their charters as aforesaid, the name of the Traders Building Association of Parkersburg, West Virginia, as erroneously published, and that as appears from the records of my office, the said the Traders Building Association, of Parkersburg, West Virginia, is a valid existing corporation, duly incorporated under the laws of West Virginia, and fully authorized and empowered to transact its corporate business under the laws of said state.

Given under my hand and the great seal of the said

[G. S ] state, at the city of Charleston, this 16th day of June, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

NATIONAL LIFE AND MATURITY ASSOCIATION OF  
WASHINGTON, D. C.

REINSTATEMENT.

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that I have this day received from Hon. P. F. Duffy, Auditor, a written communication in the words and figures following:

AUDITOR'S OFFICE, STATE OF WEST VIRGINIA,  
CHARLESTON, June 16, 1886.

HON. H. S. WALKER,  
*Secretary of State:*

SIR: It having been shown by affidavit of the secretary of the National Life and Maturity Association of Washington, D. C., that the name of said company has been erroneously published from this office as having forfeited its charter for the non-payment of license tax as prescribed by section 8, chapter 20, acts of the legislature of West Virginia, 1885, and it appearing that no notice of said tax was received or demand made upon said company therefor, prior to the publication aforesaid, and such notice and demand being made by statute a condition precedent to such forfeiture: You are hereby directed to strike from the list of corporations forfeiting their charters the name of "The National Life and Maturity Association of Washington, D. C." and restore the same to the record of existing corporations, chartered and authorized to transact business under the laws of this state.

Very respectfully yours,  
P. F. DUFFY,  
*Auditor.*

And I do further certify that I have, in conformity with the foregoing order, stricken from the list of companies forfeiting their charters as aforesaid the name of The National Life and Maturity Association of Washington, D. C., as erroneously published, and that as appears from the records in my said office the said National Life and Maturity Association of Washington, D. C., is a valid existing corporation, duly incorporated under the laws of West Virginia, and fully authorized and empowered to transact its corporate business under the laws of said state.

Given under my hand and the great seal of the said

[G. S.] state, at the city of Charleston, this 16th day of June, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

THE FREE GAS AND OIL COMPANY OF PITTSBURGH.

CERTIFICATE OF REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that I have this day received from Hon. P. F. Duffy, auditor, a written communication in the words and figures following :

AUDITOR'S OFFICE, }  
STATE OF WEST VIRGINIA, }  
CHARLESTON, Sept. 14, 1886. }

HON. HENRY S. WALKER,  
*Secretary State :*

The Free Gas and Oil Company of Pittsburgh, having failed to pay within the time prescribed by law, the license tax upon corporations imposed by section 8, chapter 20, acts 1885, by which section and chapter the penalty of forfeiture of charter is imposed for non-payment of said tax, and it having been shown by affidavit of Mathias Weiss, president of said company, that no notice of said tax was received or demand made upon said company therefor, within the time prescribed by law, and such notice and demand being by statute a condition precedent to the forfeiture of charter as aforesaid, you are hereby directed to strike from the list of companies forfeiting their charters by the non-payment of said tax, and restore the name of the Free Gas and Oil Company of Pittsburgh to the record of existing corporations chartered and authorized to transact business under the laws of this state.

Yours very truly,  
P. F. DUFFY, *Auditor.*

And I do futher certify that, in conformity with the foregoing order, I have stricken from the list of companies forfeiting their charters as aforesaid, the name of the Free Gas and Oil Company of Pittsburgh, and that, as appears from the records of my said office, the said Free Gas and Oil Company of Pittsburgh is a valid existing corporation duly incorporated under the laws of West Virginia, and fully authorized and empowered to transact its corporate business under the laws of said state.

Given under my hand and the great seal of the said

[G. S.] state, at the city of Charleston, this 14th day of September, 1886.

HENRY S. WALKER,  
*Secretary of State.*

GRAFTON GAS COMPAY.

REINSTATEMENT OF CHARTER.

STATE OF WEST VIRGINIA, }  
COUNTY OF TAYLOR, } ss :

C. O. Newlon, being first duly sworn, says that he is now and has been for nearly two years last past, superintendent of the Grafton Gas Company, that as such he usually receives the mail of said company; that he received no notice from the auditor of the state of West Virginia, or any one else, in relation to special tax against said company, and he believes no such notice was received by the company; that he had no knowledge of the tax, and did not know the company was liable for such tax until after it was reported in default.

Leonard Mallomee, being also sworn says, he is now and has been since the organization of said company its secretary; that he received no such notice above referred to, and that none was received by the company or any of its officers or agents so far as he knows, and that he knew nothing of the liability of the company until after it was reported in the newspapers as in default; he knew that corporations under a recent act of the legislature were liable to tax, but it did not occur to him, that the gas company was liable; that is, he did not think of it at all.

C. O. NEWLON, *Superintendent.*  
L. MALLOME, *Secretary.*

Subscribed and sworn to before me this 22d day of September, 1886.

J. W. MASON, N. P.

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE, }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that I have this day received from Hon. P. F. Duffy, Auditor, a written communication in the words and figures following:

AUDITOR'S OFFICE, }  
STATE OF WEST VIRGINIA, }  
CHARLESTON, SEPTEMBER 27TH, 1886. }

HON. HENRY S. WALKER,  
*Secretary of State.*

The Grafton Gas Company having failed to pay within the time

prescribed by law the license tax upon corporations imposed by section 8, chapter 20, Acts of the Legislature, 1885, by which section and chapter the penalty of forfeiture of charter is imposed for non payment of said tax. And it having been shown by affidavit of C. O. Newlon, superintendent of the Grafton Gas Company, that no notice of said tax was received by or demand made upon said company therefor within the time prescribed by law; and such notice and demand being made by statute a condition precedent to the forfeiture of charter as aforesaid, you are hereby directed to strike from the list of corporations forfeiting their charter by the non payment of said tax and restore the name of the Grafton Gas Company to the record of existing corporations chartered and authorized to transact business under the laws of this state.

Yours, very truly,

P. F. DUFFY, *Auditor.*

And I further certify, that in conformity with the foregoing order, I have stricken from the list of companies forfeiting their charters as aforesaid the name of the Grafton Gas Company, and that as appears from the records of my said office, the said Grafton Gas Company is a valid existing corporation duly incorporated under the laws of West Virginia and fully authorized and empowered to transact its corporate business under the laws of said state.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 27st day of September, eighteen hundred and eighty-six.

HENRY S. WALKER,  
*Secretary of State.*

## THE SWEETZER OIL COMPANY.

### REINSTATEMENT OF CHARTER

STATE OF WEST VIRGINIA, }  
OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that I have this day received from Hon. P. F. Duffy, Auditor, a written communication in the words and figures following:

HON. H. S. WALKER,  
*Secretary of State.*

The Sweetzer Oil Company of Parkersburg having failed to pay within the time prescribed by law the license tax upon charters and certificates of incorporation imposed by section 8, chapter 20, acts of the legislature 1885, by which section and chapter the penalty of forfeiture of charter is imposed for non payment of said tax, and it having been shown by affidavits of the president of said com-



pany, that no notice was received or demand made upon said company therefor within the time prescribed by law, and such notice being made by statute a condition precedent to the forfeiture of charter as aforesaid, you are hereby directed to strike from the list of corporations forfeiting their charters by the non-payment of said tax and restore the name of the Sweetzer Oil Company to the record of existing corporations chartered and authorized to transact business under the laws of this state.

Yours, very truly,

P. F. DUFFY,  
*Auditor.*

And I do further certify, that in conformity with the foregoing order I have stricken from the list of companies forfeiting their charters as aforesaid the name of the Sweetzer Oil Company, and that as appears from the records of my said office the said The Sweetzer Oil Company is a valid existing corporation duly incorporated under the laws of West Virginia, and fully authorized and empowered to transact its corporate business under the laws of said state.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 21st day of December, 1886.

HENRY S. WALKER,  
*Secretary of State.*

## POINT PLEASANT AND OHIO RIVER RAILROAD COMPANY.

### REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Point Pleasant and Ohio River Railroad Company has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the Point Pleasant and Ohio River Railroad Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8 of chapter 20 of the acts of 1885.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this nineteenth day of March, eighteen hundred and eighty-seven.

HENRY S. WALKER,  
*Secretary of State.*

## MARTINSBURG &amp; WINCHESTER TURNPIKE COMPANY.

## REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Martinsburg and Winchester Turnpike Company has produced before me satisfactory proof of payment to the Auditor, as prescribed by chapter 21, acts 1837, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the Martinsburg and Winchester Turnpike Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8, chapter 20 of the acts of 1885.

[G. S.] Given under my hand and the great seal of the said state at the city of Charleston, this 19th day of March, 1887.

HENRY S. WALKER,  
*Secretary of State.*

## PENOKEE AND GOGEBIC DEVELOPMENT COMPANY.

## REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Penokee and Gogebic Development Company has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the Penokee and Gogebic Development Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8 of chapter 20, of the acts of 1885.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this 23rd day of March, eighteen hundred and eighty-seven.

HENRY S. WALKER,  
*Secretary of State.*

BALTIMORE, CINCINNATI & WESTERN RAILWAY COMPANY.

REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Baltimore, Cincinnati & Western Railway Company has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do hereby certify that the said the Baltimore, Cincinnati & Western Railway Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8, of chapter 20, of the acts of 1885.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this 24th day of March, 1887.

HENRY S. WALKER,  
*Secretary of State.*

WHEELING ELECTRICAL COMPANY.

REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Wheeling Electrical Company has produced before me satisfactory proof of payment to the Auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the Wheeling Electrical Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8 of chapter 20 of the acts of 1885.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this seventh day of March, eighteen hundred and eighty-seven.

HENRY S. WALKER,  
*Secretary of State.*

## AFTON NATURAL GAS COMPANY.

## REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
 OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Afton Natural Gas Company has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the Afton Natural Gas Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8 of chapter 20, of the acts of 1885.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 1st day of April, 1887.

HENRY S. WALKER,  
*Secretary of State.*

## KANAWHA IRON AND COAL COMPANY.

## REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
 OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Kanawha Iron and Coal Company has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the Kanawha Iron and Coal Company, having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8, of chapter 20, of the acts of 1885.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this fifteenth day of April, eighteen hundred and eighty-seven.

HENRY S. WALKER,  
*Secretary of State.*

COAL RIVER CANNEL COAL COMPANY OF WEST  
VIRGINIA.

REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Coal River Cannel Coal Company, of West Virginia, has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the Coal River Cannel Coal Company. of West Virginia, having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8, of chapter 20, of the acts of 1885.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this 15th day of April, 1887.

HENRY S. WALKER,  
*Secretary of State.*

SOUTH BRANCH RAILROAD COMPANY.

REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the South Branch Railroad Company has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the South Branch Railroad Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8, of chapter 20, of the acts of 1885.

[G. S.] Given under my hand and the great seal of the said state at the city of Charleston, this 15th day of April, 1887,

HENRY S. WALKER,  
*Secretary of State.*

## HARPER'S FERRY AND SMITHFIELD TURNPIKE CO.

## REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Harper's Ferry and Smithfield Turnpike Company has produced before me satisfactory proof of payment to the Auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the Harper's Ferry and Smithfield Turnpike Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8 of chapter 20 of the acts of 1885.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this 18th day of April, eighteen hundred and eighty-seven

HENRY S. WALKER,  
*Secretary of State.*

## GREENBRIER WHITE SULPHUR SPRINGS CO.

## REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Greenbrier White Sulphur Springs Company has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said Greenbrier White Sulphur Springs Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8. of chapter 20, of the acts of 1885.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this 21st day of April, 1887.

HENRY S. WALKER,  
*Secretary of State.*

## CORPORATIONS.

## UNION COAL COMPANY.

## REINSTATEMENT.

STATE OF WEST VIRGINIA,  
OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Union Coal Company has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the Union Coal Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8 of chapter 20, of the acts of 1885.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this 23rd day of April, eighteen hundred and eighty-seven.

HENRY S WALKER,  
*Secretary of State.*

THE BLACK BARNET CONSOLIDATED MINING COMPANY.

## REINSTATEMENT.

STATE OF WEST VIRGINIA,  
OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that The Black Barnet Consolidated Mining Company has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said The Black Barnet Consolidated Mining Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8 of chapter 20, of the acts of 1885.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-eighth day of April, eighteen hundred and eighty-seven.

HENRY S. WALKER,  
*Secretary of State.*

## THE KANSAS CITY MINING COMPANY.

## REINSTATEMENT.

STATE OF WEST VIRGINIA,  
OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Kansas City Mining Company has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the Kansas City Mining Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8, of chapter 20, of the acts of 1835.

Given under my hand and the great seal of the said [G. S.] State at the city of Charleston, this 29th day of April, 1887.

HENRY S. WALKER,  
*Secretary of State.*

## SALT SULPHUR, UNION AND FORT SPRING TELEPHONE COMPANY.

## REINSTATEMENT.

STATE OF WEST VIRGINIA,  
OFFICE SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Salt Sulphur, Union and Fort Spring Telephone Company, has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the Salt Sulphur Union and Fort Spring Telephone Company, having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8, of chapter 20, of the acts of 1885.

Given under my hand and the great seal of the said [G. S.] state at the city of Charleston, this second day of May, 1887.

HENRY S. WALKER,  
*Secretary of State.*



## BUCKEYE GLASS COMPANY.

## REINSTATEMENT.

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Buckeye Glass Company has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said, the Buckeye Glass Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8, of chapter 20 of the acts of 1885.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this second day of May, eighteen hundred and eighty-seven.

HENRY S. WALKER,  
*Secretary of State.*

## AMHERST HYDRAULIC MOTIVE POWER COMPANY.

STATE OF WEST VIRGINIA, }  
OFFICE OF SECRETARY OF STATE. }

I, Henry S. Walker, secretary of state of the state of West Virginia, do hereby certify that the Amherst Hydraulic Motive Power Company has produced before me satisfactory proof of payment to the auditor, as prescribed by chapter 21, acts 1887, of the license tax due upon its charter on the first day of May, 1886, and I do further certify that the said the Amherst Hydraulic Motive Power Company having redeemed its charter from forfeiture, is relieved of the penalties imposed by section 8, of chapter 20, of the acts of 1885.

[G. S.] Given under my hand and the great seal of the said state, at the city of Charleston, this 2nd day of May, 1887.

HENRY S. WALKER,  
*Secretary of State.*

## THE STANDARD TELEPHONE COMPANY.

I, Henry S. Walker, secretary of state of the state of West Virginia, hereby certify that an agreement duly acknowledged

and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of The Standard Telephone Company, for the purpose of constructing, maintaining, operating, acquiring, manufacturing selling, leasing and renting telephones and electrical instruments and appliances, and lines for the use of individuals, firms, corporations municipal or otherwise, for general business and for police, fire alarms or messenger business, and all other business relating to the use thereof, and for the purchase or acquirement by royalty or otherwise, of patented or other articles, and the right to make, use and vend the same, and to authorize others to make, use and sell such articles. Which corporation shall keep its principal office or place of business at Philadelphia, in the county of Philadelphia and state of Pennsylvania, and is to expire on the 1st day of March, 1906. And for the purpose of forming the said corporation, we have subscribed the sum of two hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of two hundred and fifty dollars, and desire the privilege of increasing the said capital, by the sale of additional shares from time to time, to two hundred and fifty thousand dollars in all. The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned respectively, as follows, that is to say:

By T. T. Keckler, Philadelphia, five shares;

By W. T. Baker, Philadelphia, five shares;

By D. S. Pancoast, Philadelphia, five shares;

By W. W. Foulke, Philadelphia, five shares;

By John S. Martin, Philadelphia, five shares.

And the capital to be hereafter sold, is to be divided into shares of the like amount.

Given under our hands this 23rd day of February, 1886.

T. T. KECKLER,

W. T. BAKER,

D. S. PANCOAST,

W. W. FOULKE,

JOHN S. MARTIN.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of March, nineteen hundred and six, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said [G. S.] state, at the city of Charleston, this twenty-fifth day of February, eighteen hundred and eighty-six.

HENRY S. WALKER,

*Secretary of State.*



---

---

APPENDIX.

---

---



## LIST OF OOMMISSIONERS

*Now in Office, Appointed by the Executive of West Virginia, to take Acknowledgments of Deeds and  
Other Writings in Other States.*

STATES.	NAME OF COMMISSIONERS.	RESIDENCE.	COMMENCEMENT OF TERM OF APPOINT- MENT.	WHEN EVIDENCE OF QUALIFICATION FILED.	WHEN TERM OF APPOINTMENT WILL EXPIRE.
Rhode Island .....	John C. Purkis.....	Providence.....	April 21, 1883.....	May 12, 1883. ....	April 21, 1887.
Pennsylvania.....	Edward H. Cloud.....	Philadelphia.....	January 1, 1885.....	October 30, 1884.....	Dec. 31, 1888.
Ohio.....	Lipman Levy.....	Cincinnati.....	do	October 29, 1884.....	do
New York.....	George Bedgood.....	New York City.....	do	December 24, 1884...	do
do	Frederick A. Burnham.....	do	do	December 24, 1884.	do
do	Louis Beckhardt.....	do	do	February 13, 1885.....	do
do	Spencer C. Doty.....	do	do	December, 22, 1884...	do
do	John A. Hillery.....	do	do	December 26, 1884...	do
do	Eleazer Jackson.....	do	do	December 29, 1884...	do
do	Thomas Kilvert.....	do	do	December 26, 1884...	do
do	Moses B. Maclay.....	do	do	December 31, 1884...	do
do	William Shillaber.....	do	do	January 8, 1885.....	do
Pennsylvania.....	Charles Chauncy.....	Philadelphia.....	do	January 8, 1885.....	do
do	Thomas J. Hunt.....	do	do	December 26, 1884...	do
do	Theodore D. Rand.....	do	do	December 24, 1884...	do
do	Edward Shippen.....	do	do	December 23, 1884...	do
do	John Sparhawk.....	do	do	December 26, 1884...	do

LIST OF COMMISSIONERS.

LIST OF COMMISSIONERS—Continued.

STATES.	NAME OF COMMISSIONERS.	RESIDENCE.	COMMENCEMENT OF TERM OF APPOINTMENT.	WHEN EVIDENCE OF QUALIFICATION FILED.	WHEN TERM OF APPOINTMENT WILL EXPIRE.
Pennsylvania.....	Kinley J. Tener.....	Philadelphia.....	January 1, 1885.....	January 22, 1885.....	Dec. 31, 1888.
do	J. H. Wheeler.....	do	do	December 23, 1884....	do
do	Samuel L. Taylor.....	do	do	January 7, 1885.....	do
Massachusetts.....	Samuel Jennison.....	Boston.....	do	December 29, 1884....	do
do	Edward J. Jones.....	do	do	.....	do
Maryland.....	Murray Hanson.....	Baltimore.....	do	December 26, 1884....	do
do	G. Errett Reardon.....	do	do	December 26, 1884....	do
do	Phillip H. Hoffman.....	do	do	December 24, 1884....	do
District of Columbia.....	John E. Beall.....	Washington.....	do	.....	do
Ohio.....	Samuel S. Carpenter.....	Cincinnati.....	do	January 1, 1885.....	do
Virginia.....	James M. Donace.....	Richmond.....	do	December 24, 1884....	do
Illinois.....	Phillip A. Hoyn.....	Chicago.....	do	December 23, 1884....	do
Louisiana.....	Meloncey C. Soulat.....	New Orleans.....	do	December 29, 1884....	do
Connecticut.....	Henry E. Taintor.....	Hartford.....	do	December 29, 1884....	do
Maryland.....	Boling Seiden.....	Baltimore.....	do	December 26, 1884....	do
New York.....	Vincent Rosemon.....	New York City.....	do	December 30, 1884....	do
do	Isaac L. Smith.....	do	do	December 31, 1884....	do
do	Joseph B. Nones.....	do	do	January 2, 1885.....	do
do	Charles Edgar Mills.....	do	do	January 3, 1885.....	do
Pennsylvania.....	William F. Robb.....	Pittsburg.....	do	January 17, 1885.....	do

LIST OF COMMISSIONERS—Continued.

STATES.	NAME OF COMMISSIONERS.	RESIDENCE.	COMMENCEMENT OF TERM OF APPOINTMENT.	WHEN EVIDENCE OF QUALIFICATION FILED.	WHEN TERM OF APPOINTMENT WILL EXPIRE.
Pennsylvania.....	James Crowe.....	Philadelphia.....	January 1, 1885.....	January 23, 1885....	Dec. 31, 1888.
Virginia.....	W. Cabell Trueman.....	Richmond.....	do	January 28, 1885.....	do
Minnesota.....	Victor Hlortsberg.....	St. Paul.....	do	.....	do
Maine.....	Benj. F. Chadbourne.....	Biddeford.....	February 20, 1885....	March 27, 1885.....	Feb'y 20, 1889.
New York.....	Willard Parker Butler.....	50 Wall street, New York.....	March 16, 1885.....	March 20, 1885.....	March 16, 1889.
Ohio.....	Joseph T. Harrison.....	N. E. C. 5th and Minists., Cin.	March 18, 1885.....	.....	March 18, 1889.
Colorado.....	David Mitchell.....	Denver.....	April 4, 1885.....	April 10, 1885.....	April 4, 1889.
Maryland.....	Frank H. Grupy.....	51 Lexington st., Baltimore.....	April 13, 1885.....	April 15, 1885.....	April 13, 1889....
Connecticut.....	Henry S. Stearns.....	2 State st., Hartford.....	May 21, 1885.....	June 25, 1885.....	May 21, 1889.
Pennsylvania.....	D. E. Davis.....	Pittsburgh, Pa.....	June 23, 1885.....	July 30, 1885.....	June 23, 1889.
New York.....	Thomas R. Clifford.....	200 Broadway, New York.....	December 17, 1885...	January 15, 1886.....	Dec. 17, 1889.
do	William F. Lett.....	335 Broadway, New York.....	March 10, 1886.....	April 7, 1886.....	March 19, 1890.
Maryland.....	W. H. H. Raleigh.....	Baltimore.....	March 20, 1886.....	March 30, 1886.....	March 20, 1890.
New York.....	Thomas W. Folsom.....	1238 Broadway, New York.....	April 15, 1886.....	May 15, 1886.....	April 15, 1890.
Maryland.....	Walter D. Griscon.....	South and Second, Baltimore...	April 10, 1886.....	May 22, 1886.....	April 10, 1890.
New York.....	Charles Nettleton.....	115 Broadway, New York.....	May 28, 1886.....	June 20, 1886.....	May 28, 1890.
Massachusetts.....	Charles Hall Adams.....	5 Court st., Boston.....	February 2, 1887.....	February 7, 1887.....	Feb'y 2, 1891.
California.....	James L. King.....	San Francisco.....	February 23, 1887...	March 10, 1887.....	Feb'y 23, 1891.

LIST OF COMMISSIONERS.



# JUDICIAL DEPARTMENT.

## SUPREME COURT OF APPEALS.

*President,*

OKEY JOHNSON, of Wood County.

*Judges,*

THOMAS C. GREEN, of Jefferson County.

A. C. SNYDER, of Greenbrier County.

SAMUEL WOODS, of Barbour County.

*Clerk,*

O. S. LONG, of Ohio County.

*Reporter,*

ALFRED CALDWELL, Attorney General, Ohio County.

Three annual sessions of the Supreme Court of Appeals are held as follows:

At Charleston, Kanawha county, commencing on the second Wednesday in January.

At Wheeling, Ohio county, commencing on the first Wednesday in June.

At Charlestown, Jefferson county, commencing on the first Wednesday in September.

## TERMS OF CIRCUIT COURTS.

### FIRST JUDICIAL CIRCUIT—GEORGE E. BOYD AND JOHN J. JACOB, JUDGES.

<i>Counties.</i>	<i>Commencement of Terms.</i>
Brooke.....	First Monday in March, first Monday in June, and second Monday in October.
Hancock.....	Fourth Monday in March, fourth Monday in June, and first Monday in November.
Ohio.....	Second Monday in April, first Monday in September, and third Monday in November.
Marshall.....	First Monday in March, first Monday in June, and second Monday in October.

SECOND JUDICIAL CIRCUIT—A. BROOKS FLEMING, JUDGE.

*Counties.*

*Commencement of Terms.*

- Harrison.....Second Tuesday in January, second Tuesday in May, and second Tuesday in September.
- Marion.....First Tuesday in March, first Tuesday in July, and fourth Tuesday in November.
- Monongalia.....Second Tuesday in February, second Tuesday in June, and second Tuesday in October.

THIRD JUDICIAL CIRCUIT—WILLIAM T. ICE, JUDGE.

*Counties.*

*Commencement of Terms.*

- Barbour.....First day of March, sixth day of July, and the fifteenth day of October.
- Preston.....Eighth day of April, thirteenth day of August, and twenty-fourth day of November.
- Randolph.....Twentieth day of May, fourteenth day of September, and third day of January.
- Taylor.....Twentieth day of March, twenty-fifth day of July, and fourth day of November.
- Tucker.....Tenth day of May, third day of September, and sixteenth day of December.

FOURTH JUDICIAL CIRCUIT—THOMAS J. STEALEY, JUDGE.

*Counties.*

*Commencement of Terms.*

- Doddridge.....Third Monday in March, third Monday in July, and third Monday in November.
- Ritchie.....Third Monday in February, third Monday in June, and third Monday in October.
- Tyler.....Second Monday in April, second Monday in August, and second Monday in December.
- Wetzel.....Third Tuesday in January, third Tuesday in May, and third Tuesday in September.

## FIFTH JUDICIAL CIRCUIT—JAMES M. JACKSON, JUDGE.

<i>Counties.</i>	<i>Commencement of Terms.</i>
Pleasants.....	Second Monday in March, second Monday in June, and second Monday in October.
Wirt.....	Fourth Monday in March, fourth Monday in June, and fourth Monday in October.
Wood.....	Second Monday in February, second Monday in July, and second Monday in November.

---

## SIXTH JUDICIAL CIRCUIT—R. F. FLEMING, JUDGE.

<i>Counties.</i>	<i>Commencement of Terms.</i>
Calhoun.....	Fifteenth day of February, fifteenth day of June, and fifteenth day of October.
Clay.....	Second Monday in May, second Monday in September, and second Monday in December.
Gilmer.....	First day of February, first day of June, and first day of October.
Jackson.....	First day of March, first day of August, and first day of November.
Roane.....	Twenty-fifth day of March, twenty-fifth day of August, and twenty-fifth day of November.

---

## SEVENTH JUDICIAL CIRCUIT—F. A. GUTHRIE, JUDGE.

<i>Counties.</i>	<i>Commencement of Terms.</i>
Kanawha.....	Second Monday in March, second Monday in June, and first Monday in December.
Mason.....	First Monday in February, first Monday in May, and first Monday in September.
Putnam.....	Fourth Monday in February, fourth Monday in May, and fourth Monday in September.

EIGHTH JUDICIAL CIRCUIT—IRA J. MCGINNIS, JUDGE

<i>Counties.</i>	<i>Commencement of Terms.</i>
Cabell.....	First Monday in March, first Monday in August, and first Monday in December.
Lincoln.....	Third Monday in February, third Monday in June, and third Monday in September.
Logan.....	First Monday in April, first Monday in July, and first Monday in October.
Wayne.....	First Monday in February, first Monday in June, and first Monday in September.

---

NINTH JUDICIAL CIRCUIT—D. E. JOHNSTON, JUDGE.

<i>Counties.</i>	<i>Commencement of Terms.</i>
Boone.....	Third Monday in April, third Monday in July, and third Monday in October.
McDowell.....	Wednesday after the third Monday in May, Wednesday after the first Monday in July, and Wednesday after the first Monday in October.
Mercer.....	First Monday in March, third Monday in June, and third Monday in November.
Raleigh.....	Fourth Monday in April, fourth Monday in July, and fourth Monday in October.
Wyoming.....	Second Monday in April, second Monday in July, and second Monday in October.

---

TENTH JUDICIAL CIRCUIT—HOMER A. HOLT, JUDGE.

<i>Counties.</i>	<i>Commencement of Terms.</i>
Fayette.....	Fourth Monday in February, third Monday in May, and third Monday in September.
Greenbrier.....	Third Monday in April, fourth Monday in June, and first Monday in November.
Monroe.....	Third Monday in March, first Monday in June, and first Monday in October.
Pocahontas.....	First Monday in April, third Monday in June, and third Monday in October.
Summers.....	Second Monday in February, first Monday in May, and first Monday in September.

TERMS OF CIRCUIT COURTS.

ELEVENTH JUDICIAL CIRCUIT—HENRY BRANNON, JUDGE.

<i>Counties.</i>	<i>Commencement of Terms.</i>
Braxton.....	Fourth Monday in April, fourth Monday in August, and fourth Monday in November.
Lewis.....	First Monday in March, third Monday in June, and third Monday in October.
Nicholas.....	On Wednesday after the second Monday in April, on Wednesday after the second Monday in August, and on Wednesday after the second Monday in November.
Upshur.....	Second Monday in February, first Monday in June, and first Monday in October.
Webster.....	First day of April, first day of August, and first Monday in November.

TWELFTH JUDICIAL CIRCUIT—J. D. ARMSTRONG, JUDGE.

<i>Counties.</i>	<i>Commencement of Terms.</i>
Grant.....	Fourth Tuesday in March, first Tuesday in June, and third Tuesday in October.
Hampshire.....	First Tuesday in February, second Tuesday in May, and third Tuesday in September.
Hardy.....	Second Tuesday in March, last Tuesday in May, and first Tuesday in October.
Mineral.....	Second Tuesday in January, fourth Tuesday in April, and first Tuesday in September.
Pendleton.....	Second Wednesday in April, Wednesday after second Tuesday in June, and first Wednesday in November.

THIRTEENTH JUDICIAL CIRCUIT—FRANK BECKWITH, JUDGE.

<i>Counties.</i>	<i>Commencement of Terms.</i>
Berkeley.....	Second Tuesday in January, second Tuesday in April, and second Tuesday in September.
Jefferson.....	Second Tuesday in February, third Tuesday in May, and third Tuesday in November.
Morgau.....	First Tuesday in January, first Tuesday in April, and second Tuesday in August.

UNITED STATES DISTRICT COURT.

---

DISTRICT OF WEST VIRGINIA.

---

JUDGE—JOHN J. JACKSON, Parkersburg.

CLERK—JASPER Y. MOORE, Clarksburg.

DISTRICT ATTORNEY—C. C. WATTS, Charleston.

MARSHAL.—C. SEHON, Point Pleasant.

---

REGULAR TERMS.

At Wheeling—First day of March and first day of September.

At Clarksburg—First day of April, and first day of October.

At Charleston—First day of May, and first day of November.

---

UNITED STATES CIRCUIT COURT.

---

REGULAR TERMS.

At Parkersburg—Tenth day of January, and tenth day of June.



# INDEX.

<b>ABATEMENT,</b>	
of certain nuisances; how and when, sections 2 and 3.....	59, 60
<b>ABSCONDING DEBTORS,</b>	
may be proceeded against by attachment, section 1.....	119, 120
<b>ACCOUCHEURS,</b>	
duty of, to register their names and postoffice address with clerk of county court, section 21.....	198
required to report to such clerk all births and deaths, coming under their supervision, section 24.....	198
penalty for failure, section 24.....	198
fee for such reports, section 24.....	198
<b>ACTS OF THE LEGISLATURE, AMENDED,</b>	
1882, chapter 7, section 1, commencement of terms of circuit courts.....	3
1882, chapter 130, sections 13 and 14, concerning sale and redemption of lands.....	8, 9
1881, chapter 15, concerning education.....	9, 10, 11
1832, chapter 123, section 19, relating to disturbance of schools, literary societies, etc.....	19, 20
1887, chapter 129, section 31, concerning fees of officers.....	87
1884, chapter 46, section 14, concerning sale of lands for benefit of the school fund.....	38, 39
1882, chapter 130, sections 1 and 29, concerning the sale of real estate for taxes.....	55 to 57
1881, chapter 12, section 61, concerning assessment of taxes.....	81, 82
1885, chapter 40, sections 13, 15 and 16, concerning county roads, (alternative method).....	106 to 111
1881, chapter 35, sections 1, 2, 4, 5, 6, 7, 19, 19, 22, 23, 20 and 27, concerning county roads (alternative method).....	106 to 111
1882, chapter 33, section 7, concerning church property.....	115, 116
1885, chapter 29, relating to distraint and sale for taxes and fee bills.....	117, 118
1885, chapter 38, section 1, concerning attachments.....	118 to 120
1871, chapter 45, amending the charter of the town of Grafton.....	121 to 131
1881, chapter 18, sections 96 and 97, concerning education.....	131, 132
1870, chapter 107, orphans and destitute children.....	132 to 134
1881, chapter 17, sections 50 and 56.....	138 to 143
1882, chapter 170, section 16, school district of Parkersburg.....	143, 144
1871, chapter 17, section 5, capital stock of incorporated companies.....	144
1885, chapter 47, school district of West Grafton.....	146 to 149
1887, chapter 80, sections 1, 2, 4, 5, 11, preservation of certain useful animals and birds.....	154 to 157
1882, chapter 67, sections 3, 7, insane persons.....	150, 159



## ACTS OF THE LEGISLATURE AMENDED—Continued.

1872-3, chapter 182, section 6, 7, 20, 22; also, 1881, chapter 86, sections 3, 4, 5, 13, 21, alternative method of keeping in repair county roads.....	170 to 174
1871, chapter 71, section 1, 11, institution for the deaf and dumb and blind..	175 to 176
1885, chapter 15, section 6, corporations.....	176, 177
1883, chapter 140, section 6, forms of deeds and covenants and sales under deeds of trust.....	177 to 179
1882, chapter 120, section 22, fees of jailers.....	182, 183
1882, chapter 189, section 5, offences relating to elections; and to add sections 13, 14, 15 and 16.....	183 to 185
1887, chapter 85, section 10, penitentiary, working of convicts.....	186
1882, chapter 93, sections 5, 6, 10, 14, public health; also, adding sections 21, 22, 23, 24, 25, 26, 27, 28 and 29 thereto.....	191 to 199
1882, chapter 147, section 30, school register, school month, institutes.....	208 to 205
1881, chapter 67, section 83, charter of Charleston.....	205 206
1883, chapter 47, section 49, salaries of county officers.....	214, 215
1882, chapter 97, section 30, of joint stock companies without special charters.....	216 to 219
1881, chapter 17, section 24, of joint stock companies without special charters.....	216, 217
1888, chapter 39, section 35, allowance to jailers for the maintenance and care of lunatics in jails.....	240
1882, chapter 79, sections 2, 12, proceedings before justices on criminal complaint.....	241
1882, chapter 122, sections 1, 3, 4, of trial and its incidents.....	243 to 245
<b>ACTS OF THE LEGISLATURE, REPEALED,</b>	
1882, chapter 97, sections 63 and 64, concerning joint stock companies without special charters.....	36
1877, chapters 107 and 108, regulating licenses and rate of tax on same.....	83 to 105
1882, chapter 149, section 9, listing and posting of deeds.....	200
<b>ADJUTANT GENERAL,</b>	
authorized to turn over all medals in his possession, belonging to soldiers	225
appropriations for contingent expenses of.....	255, 268
to render detailed account to Legislature of such fund.....	255, 268
to pay certain militia officers for services rendered during late war.....	262
appropriation for furniture for office of.....	263
<b>ALCOHOLIC DRINKS AND NARCOTICS,</b>	
nature and effects of, to be included in the branches of study taught in public schools, section 1.....	5-6
duty of school officers to enforce act, section 2.....	6
penalty for failure or neglect, section 2.....	6
teachers to pass satisfactory examinations as to nature and effects of, section 3.....	6
<b>ALLOWANCES,</b>	
to jailors in certain cases.....	182, 190, 240
annual allowances by county courts to certain county officers.....	214, 215
<b>ALTERNATIVE ROAD METHOD,</b>	
(see title "Roads, County").....	106, 170
county court of Marion county authorized to put in immediate operation the.....	230
<b>AMENDMENTS PROPOSED, CONSTITUTIONAL,</b>	
amendment proposed to section 13, of article III of the constitution, concerning suits at common law, etc.....	182
act providing for the submission of said proposed amendment to the voters of the state, for ratification or rejection.....	180 to 182

AMENDMENTS PROPOSED, CONSTITUTIONAL—Continued.

amendment proposed to section 43, of article VI of the constitution, prohibiting the manufacture and sale of intoxicating liquors.....	230, 231
act providing for the submission of the said proposed amendment, to article VI., to the voters of the State, for ratification or rejection.....	179 to 182
amendment proposed to section 22, of article VI of the constitution, extending the session of the legislature to sixty days.....	236
act providing for the submission of the said proposed amendment to section 24, of article VI of the constitution, to the voters of the state, for ratification or rejection.....	187 to 189
appropriations to pay for the publication of.....	270
<b>APPEALS,</b>	
from assessor, in case of erroneous assessment of license tax, section 33....	94, 95
<b>APPLE AND PEACH BRANDY,</b>	
license tax for distilling; restrictions as to sale of, by distiller, section 65.....	100
<b>APPRAISEMENT,</b>	
of collateral inheritance property, etc., for taxation, sections 3 to 9.....	112, 113
<b>APPROPRIATIONS,</b>	
\$350 to trustees M. E. church, south, when and for what, section 1.....	58
to pay tuition of non-paying normal pupils, sections 96 and 97.....	131, 132
to pay claims allowed and certified by circuit courts for the maintenance and care of lunatics out of jail, prior to January 1st, 1887.....	160
to pay members, officers, etc., of the legislature for the regular and extra sessions.....	246, 247
to pay W. P. Adams for swearing in members of the house.....	248
to pay salary of governor.....	247, 248
to pay salary of auditor.....	247, 248
to pay salary of secretary of state.....	247, 248
to pay salary of treasurer.....	247, 248
to pay salary of attorney-general.....	247, 248
to pay salary of state sup't. of schools.....	247, 249
to pay salary of adjutant-general and librarian.....	248, 249
to pay salary of keeper of the rolls.....	248, 249
to pay salary of auditor.....	248, 249
to pay salaries of judges of supreme and circuit courts.....	248, 249
to pay mileage of such judges.....	248, 249
to pay compensation, allowed by law, to persons who hold the courts where circuit judges cannot act.....	248, 249
to pay salary of clerk of supreme court.....	248, 249
auditor authorized to pay, section 3.....	249
no money to be drawn beyond amount appropriated, unless, etc., sec. 3... but auditor authorized, during the first six months of fiscal year beginning October 1, 1888, to make payments to certain officers for services actually rendered, not exceeding, etc., section 3.....	249
<i>General Charges upon the Treasury.</i>	
for the penitentiary.....	250, 251, 263, 264.
how drawn and paid.....	251, 264
proviso as to compensation of directors.....	251
for criminal charges.....	251, 264
for support of lunatics in jail.....	251, 264
for support of normal schools.....	251, 264
for travelling expenses of regents of normal schools.....	251, 265
proviso as to compensation of such regents.....	251, 265.
for the repairs, etc., of Marshall College.....	252, 265
to pay B. H. Thaxton as principal.....	252
for library, etc., at Shepherd College.....	252, 265

## APPROPRIATIONS—Continued.

for library, etc., at Concord school .....	252, 265
for repairs, etc., at West Liberty school .....	252, 265
for repairs, etc., of Fairmont school .....	252, 265
how drawn and paid .....	252, 265
for pay of certain teachers of Shepherd College for certain years.....	265
for pay of certain teachers of Fairmont Normal School for certain years,	265, 266
for pay of certain teachers of Marshall College for certain years.....	266
for pay of certain teachers of Glenville Normal school for certain years,	266
for pay of certain teachers of Concord Normal school for certain years,	266
to pay M. Harding as teacher in West Liberty Normal school for certain	
years.....	266
for the university. ....	252, 253, 266
how drawn .....	253, 267
proviso as to compensation of regents.....	252, 266
for the deaf, dumb and blind institution.....	253, 261
how drawn .....	253, 261
proviso as to the compensation of regents.....	253, 261
for hospital for the insane.....	253, 251, 267
how drawn .....	251, 267
proviso as to compensation of directors .....	253, 267
for the construction of a second hospital at Spencer.....	251
how expended.....	251
for contingent legislative expenses .....	251
for civil contingent fund .....	251, 267
for contingent expenses of offices of the executive department; librarian	
and adjutant general.....	255, 267, 268
for salaries of clerks in executive department .....	255, 268
for capitol building.....	255, 256, 270
for judicial department; contingent expenses, and printing and binding	
supreme court reports .....	256, 268
for refunding overpaid taxes.....	256, 268
for refunding county and district taxes for the redemption of land.....	256, 269
for refunding county, etc., and municipal taxes paid by railroads.....	256, 269
for refunding taxes erroneously assessed.....	256, 268
for public printing, stationery, etc.....	256, 269
for deficiency and interest for same.....	256, 269
for expenses in civil suits .....	257, 269
to pay vaccine agents .....	257, 269
to pay expenses of fish commissioners.....	257, 269
to pay interest on money borrowed.....	257, 269
for furniture, supreme court rooms, etc .....	257
for restoring eagle on flag of 12th regiment.....	257
for furnishing and carpeting executive offices.....	257
for interest due J. P. Houck .....	257
for balance due commission to locate second hospital.....	258
for balance due Harman Snyder.....	258
for balance due A. I. Boreman.....	258
for fee to Caldwell & Caldwell.....	258
for purchase of Warth's code.....	258, 263
for balance due certain parties for printing reports of tax commissioners	258
for balance due B. S. Thompson.....	258
for pay of expenses of special committee to examine penitentiary.....	258
for pay of expenses of state board of health.....	258, 269
for insurance .....	258
to pay A. S. Carder, repairing, etc. ....	253
to pay W. D. Scott.....	258, 263
to pay George Davis.....	259
to pay J. E. Ryan.....	259, 263
to pay M. M. Rusk .....	259

INDEX.

v

APPROPRIATIONS--Continued.

to pay A. P. Rand & Co.....	259
to pay O. H. Michaelson.....	259
to pay J. P. Vlu.....	259
to pay H. T. Sheffy.....	259
to pay E. L. Boggs.....	259
to pay J. O'Connor.....	259
to pay C. Killinger & Co.....	259
to pay John McGarrall.....	259
to pay Diamond Ice Company.....	259
to pay Thomas Hayslip.....	259
to pay R. J. Satterthwait.....	259
to pay John F. Bratt.....	259
to pay salaries of inspectors of mines.....	259, 270
to pay travelling expenses of such inspectors.....	260, 270
to pay Charleston Gas Light Co.....	260
to pay for binding and purchasing books for state libraries.....	260, 270
to pay for purchasing two flags.....	260
to pay assessors for enrolling militia.....	260, 261
to pay for gas.....	261, 270
to pay for water.....	261, 270
to pay C. L. Northup.....	261
to pay for elevator engine.....	261
to pay amount due school fund.....	261
to pay interest on same.....	261
when last two appropriations to be paid.....	261
to pay janitor for extra work.....	261
to pay C. C. Watts, legal services.....	261
to pay McCorkle and Caldwell, fee.....	261
to pay Alfred Caldwell, fee.....	262
to pay certain militia officers, rendering services during late war.....	262
to pay S. M. Howard.....	262
to pay rent of arsenal.....	262
to pay county of Pocahontas.....	262
to pay for 2nd edition of code.....	263
to pay expenses of committee to investigate hospital for insane.....	263
to pay Grady and Ruffner.....	263
to pay W. B. Carder.....	263
for fitting up packing rooms.....	270
for publishing proposed amendments to the constitution.....	270
no money to be paid beyond appropriations, unless, etc., section 3.....	270
what payments may be made to public institutions, officers, etc., after the expiration of fiscal year, ending on September 30th, 1888, sec- tion 3.....	270, 271
appropriations to pay, section 3.....	271
five cent building, etc., fund turned into the state fund, section 4.....	271
proper entries to be made, as to balance due state from the merchants' bank; when, section 5.....	271
auditor to dispose of arrears due state from sheriff for certain years; when, section 5.....	271
superintendents of public institutions to render to directors, etc., item- ized accounts; of what, section 6.....	271, 272
such accounts to be included in reports, section 6.....	272
what statement by treasurer of such institutions to accompany warrant upon auditor, section 6.....	272
disbursing officers of contingent funds to furnish legislature itemized accounts of their disbursements, section 6.....	272

ARREST,

proceedings of Judge or Justice on criminal complaint, section 2.....	241
number of witnesses to be paid on behalf of the state limited, section 3.....	241

**ASSESSMENT OF TAXES,**

section 64, chapter 12, acts 1881, concerning, amended.....	81, 82
incorporated companies, except railroad, etc., value of capital employed and real estate of, how ascertained and assessed.....	82
deductions to be made from money, credits, etc., and not from aggregate when branches of such companies assessed.....	82
property of navigation companies, etc., where taxed.....	82
locks and dams, how and where assessed.....	82
personal property of such companies not to be assessed, when.....	82
shares not to be assessed individually, when.....	82

**ASSESSORS,**

duty of, in assessing certain incorporated companies, act amended, see 64	82
certain duties of, as to assessment of license tax, sections 9, 11, 12, 25 and 27.....	87, 88, 92, 93
report of transfer of licenses to be made by clerk to, section 26.....	93
fee of for certificate for license, alteration, etc., section 28.....	94
appeals from, for erroneous assessment of license tax, section 32.....	94, 95
inspection by, of license, section 33.....	95
duties of, as to persons from whom license required, section 34.....	95
duties of, as to lists of licenses, sections 35, 36 and 37.....	95, 96
instructions by auditor to, section 39.....	96
penalty for neglect of duty by, section 40.....	96
to register names of the deaf and blind, with certain facts, section 11.....	176
when to complete such registration and forward to auditor, section 11.....	176
compensation for and liability, section 11.....	176
assessment by, of goods offered for sale by auction or otherwise, on which no assessment has been made, section 2.....	191
penalty on person for refusal or neglect to have such goods assessed, sec- tion 3.....	191
certain agents appointed by corporations to make return of the property of such corporation to, section 24.....	217
appropriation to pay certain assessors for enrolling militia.....	210, 261

**ATTACHMENTS,**

when and how order of obtained, section 1.....	118, 119
grounds for, section 1.....	119
material facts to be stated in affidavit, section 1.....	119, 120
supplemental affidavit may be filed; when, what to state, and how treat- ed, section 1.....	119, 120
form of order of, and by whom issued, section 1.....	120
attachment may be sued out in equity on claim not due, section 1.....	120
If not due, affidavit to show what, section 1.....	120
proviso as to foreign corporations and non-resident defendants, section 1.....	120

**ATTORNEYS-AT-LAW,**

code in relation to licensing, amended.....	18, 19
---	--------

**ATTORNEY-GENERAL,**

appropriation to pay salary of.....	247, 248
appropriations to pay contingent expenses of office of.....	265, 267
to render detailed account to legislature of such fund.....	255, 268
appropriation to pay salary of clerk in office of.....	255, 268

**AUCTION,**

permit to be obtained by person offering or furnishing for sale at, goods or merchandise not assessed for taxation as required by law, section 1.....	191
from whom obtained, section 1.....	191
what to be paid for such permit, section 1.....	191
sheriff to collect, section 1.....	191
unassessed goods offered for sale, how assessed, section 2.....	191
penalty for refusal or neglect to obtain permit to sell or to have such goods, etc., assessed, section 3.....	191
how and by whom such license or tax collected, section 4.....	191

# INDEX.

vii

## AUCTIONEERS,

license to act as, section 2.....	84
penalty for acting without, section 3.....	84
tax on license to act as, section 73.....	101

## AUDITOR,

lists of sales, and of redemption of lands, to be transmitted to, when and by whom, section 11.....	9
notice to be given by, to certain corporations heretofore forfeiting their charters.....	55
authorized to institute suit to enforce lien on real estate for taxes; when; where, sections 1 and 29.....	56, 57
how to apply proceeds of sale, section 1.....	56
authorized to pay trustees of M. E. Church, South, what sum and when, section 1.....	58
list of state licenses to be transmitted to; when, and what to show, section 37.....	95, 96
instructions of, to assessors, section 39.....	96
duty of, where sheriff fails to pay license tax, section 41.....	97
to notify corporations of time of payment of license tax; when and how, section 80.....	104
to publish lists of corporations forfeiting charters; when and how, section 90.....	104, 105
report to, by secretary of state, section 92.....	105
penalty for failure to perform duties, section 93.....	105
tax on corporations to be paid to, sections 86 and 87.....	104
receipt to be forwarded to, by clerk county court for collateral inheritance tax, section 17.....	114
when clerk of county court to pay collateral inheritance tax to, section 18.....	114, 115
notice by, to prosecuting attorney when clerks fail to pay over collateral inheritance tax, section 19.....	115
authorized to pay board of education of Red Sulphur district, Monroe county, certain sum of money.....	121
duty of, on receipt of report and requisition of president of board of regents as to non-paying normal pupils, section 96.....	131
authorized to pay certain claims allowed and certified, by circuit courts, for the maintenance and care of lunatics out of jail.....	160
duty of, as to registration of the deaf and blind reported by assessors, section 11.....	176
duty of, as to issuing certificates to corporations insuring lives on the assessment plan, section 6.....	177
authorized to pay members, etc., of the legislature.....	225, 226, 273
examination of certain matters in the office of.....	231, 232
clerks of circuit courts to report to, all claims allowed and certified for payment out of state treasury; when, section 1.....	245
what such report to show, section 1.....	245
to furnish blank forms for such reports, section 2.....	245
duty of, as to such reports, section 2.....	245
penalty for failure, section 3.....	245
appropriations to pay salary of.....	247, 248
authorized, during first six months of fiscal year beginning October 1, 1888, to make payments to certain officers for services actually rendered, not exceeding, etc., section 3.....	249, 250
appropriations to pay contingent expenses of office of.....	253, 257
appropriations to pay salaries of clerks in office of.....	255, 268
authorized to pay expenses of committee to investigate hospital for the insane.....	263
what payments authorized to make to public institutions, officers, etc., at the expiration of fiscal year 1888, section 3.....	270, 271
to turn five cent building fund into the state fund, section 4.....	271
to dispose of the arrears for taxes, etc., due state from sheriffs for certain	

## AUDITOR—Continued.

years; when, section 5.....	271
statement to accompany requisition upon, for appropriations for public institutions, section 6.....	272
appropriations for fitting up document rooms for.....	270
<b>BAGATELLE TABLES.</b>	
license to keep, section 1.....	83, 84
penalty for keeping, without license, section 3.....	84
tax on license to keep, section 70.....	101
<b>BALLOTS,</b>	
(See title "Elections").....	183 to 185
<b>BANKS,</b>	
savings, act incorporating.....	39 to 49
<b>BARBOUR COUNTY.</b>	
board of education of the Philippi independent school district in, empowered to issue bonds; for what and how.....	145, 146
<b>BATTLE OF POINT PLEASANT.</b>	
joint resolution concerning monument to commemorate.....	226, 227
<b>BEER, ALE, ETC.</b>	
license required to sell, section 1.....	83, 84
penalty for selling, without license, section 3.....	84
tax on license to sell, section 66.....	100
when license not required to sell, section 4.....	84, 85
<b>BENEVOLENT SOCIETIES.</b>	
how much land trustees of, may hold, section 7.....	116
<b>BERKELEY COUNTY.</b>	
commencement of terms of circuit court in.....	4
<b>BILLIARD TABLES.</b>	
license to keep, section 1.....	83, 84
penalty for keeping, without license, section 3.....	84
tax on license to keep, section 69.....	101
<b>BILLS AND JOURNALS.</b>	
manner of printing of.....	224, 225
<b>BIRTHS.</b>	
state board of health to have supervision of the state system of registration of, section 23.....	198
physicians and accoucheurs to report, coming under their supervision, under penalty, section 24.....	198
who else to make such report, section 25.....	198, 199
register of, to be kept by clerk of court, section 28.....	199
report to be made by such clerk of, when, section 28.....	199
penalty for failure, section 28.....	199
forms for record of, who to prepare and who to furnish, section 29.....	199
<b>BOARDING HOUSES,</b>	
license not required to keep, when, section 4.....	84
<b>BOARDS OF EDUCATION,</b>	
auditor authorized to pay board of education of Red Sulphur district, Monroe county, for what.....	121
of the Philippi independent school district, of Barbour county, authorized to issue bonds; for what and how.....	145, 146
the independent board of education for the city of Charleston, authorized to issue bonds; for what and how.....	207, 208, 209
section 16, chapter 170, acts 1832, concerning, of the school district of Parkersburg, amended.....	148

<b>BOARD OF EXAMINERS, COUNTY,</b>	
to examine teachers; when to hold one of the two examinations required, section 30.....	204, 205
duty of, if teacher fail to attend institutes, section 30.....	205
<b>BOARDS OF EXAMINERS, STATE,</b>	
to examine and issue state certificates to public school teachers.....	201, 2(2)
<b>BOARD OF PUBLIC HEALTH, STATE,</b>	
certain sections of act relating to, amended; also, certain sections added..	194 to 199
appropriations to pay expenses of,.....	258, 260
<b>BOARD OF PUBLIC WORKS.</b>	
to appoint three commissioners, to examine as to the true location of the monuments which mark the boundary line between a portion of this state and the state of Virginia.....	242
<b>BOARD OF REGENTS,</b>	
of state normal school and branches; what report presidents of to make to auditor concerning non-paying normal pupils, section 96.....	131
<b>BOARD OF SURVEYORS OF ROADS,</b>	
incorporation of, powers and duties of, sections 6, 16, 19 and 21.....	107, 109, 110
<b>BONDS,</b>	
county of Jefferson authorized to fund at a lower rate of interest, etc., the outstanding, of said county .....	12-13
board of education, of Philippi, independent school district authorized to issue, how and for what.....	145, 146
independent board of education for the city of Charleston, authorized to issue, for what and how .....	207, 208, 209
<b>BOUNDARY LINE, STATE,</b>	
part of the, between this state and Maryland, confirmed and established, section 1.....	237
what action required on the part of Maryland, section 2.....	237, 238
between this state and the state of Pennsylvania.....	238, 280
duty of secretary of state as to the reports of the joint commission appointed to establish such line, section 2.....	239
act to establish, between this state and the state of Virginia.....	242, 243
<b>BOWLING ALLEYS,</b>	
license to keep, section 1.....	83, 84
penalty for keeping, without license, section 3.....	84
tax on license to keep, section 6.....	100
<b>BREWERIES,</b>	
license to carry on, section 1.....	83, 84
penalty for carrying on, without license, section 3.....	84
revocation of license to, section 24.....	92
assignment of license to, section 27.....	93
tax on license to carry on, section 54.....	93, 100
<b>BROKERS,</b>	
stock and other, license to act as, section 2.....	84
penalty for acting without license, section 3.....	84
tax on license to act as, sections 74, 75.....	101, 102
<b>BROKE COUNTY,</b>	
charter of the city of Wellsburg in, amended.....	20, 25
<b>CADETS,</b>	
how appointed and what number admitted to the West Virginia University, section 82.....	11
of what age and term of service, section 82.....	11



CADETS—Continued.

qualification necessary to admission, section 82.....	11
number from any one county limited, section 82.....	11

CAPITAL,

of certain incorporated companies, how assessed.....	32
--	----

CAPITOL BUILDING,

joint resolution providing for lighting the entrances to.....	227
appropriations for.....	255, 256, 270
appropriations for gas and water for.....	261, 270
for fire apparatus and elevator.....	256, 261

CAPITAL STOCK,

of corporations incorporated without special charter, except railroads and canals; act relating to, amended, section 5.....	144
---	-----

CAPITATION TAX,

on whom levied; amount of, section 52.....	99
--	----

CARCASSES,

of animals; deposit of, in certain waters, highways, etc., declared nuisances; penalty, etc., sections 1, 2 and 3.....	59, 60
--	--------

CEMETERIES,

Olivet Cemetery Company, of Moorefield, act relating to, amended.....	7, 8
---	------

CENTENNIAL EXPOSITION,

of the Ohio Valley and Central States; joint resolution concerning.....	229
---	-----

CERTIFICATES OF INCORPORATION,

(see title, "Corporations, certificates issued by secretary of state to,").....

CHARLESTON, CITY OF,

duties of sergeant as to the collection of taxes, levies, etc., and paying the same over, section 33.....	206
when eligible to election for two successive terms, section 33.....	206
time allowed, to collect taxes, etc., at close of his term, section 33.....	206
power to distrain, section 33.....	206
independent board of education for, authorized to issue bonds for the purpose of building and equipping school houses.....	207 to 209

CHARTERS,

of Odd Fellows Hall of city of Wheeling, amended.....	4, 5
certain railroad companies relieved from forfeiture of; how.....	13, 14
of Wheeling hospital, amended.....	14, 15
of the City of Wellsburg, amended.....	20, 35
certain corporations relieved from forfeiture of their.....	54, 55
of the city of Parkersburg, amended.....	61 to 80
of the City of Charleston, amended.....	205, 206
of the town of Grafton, amended.....	121 to 131
of incorporated companies, without special charters; when and how perfected, section 66.....	141, 142
issued by the secretary of state.....	823 to 593

CHURCH PROPERTY,

how much laud trustees of, may hold, section 7.....	116
trustees of, may sue and be sued in their own name, section 7.....	116
death, etc., of any trustee not to affect suit, section 7.....	116

CIGARS AND TOBACCO,

joint resolution requesting that no prosecution be maintained against persons selling, at retail, without a state license.....	275, 276
--	----------

# INDEX.

xi

## CIRCUIT COURTS.

commencement of terms of, in 13th circuit.....	3, 4
proceedings in, regarding redemption of lands and payment of excess to former owner.....	38, 39
Judges of, to certify fitness, etc., of persons organizing savings banks, section 1.....	39, 40
power of Judges of, to remove trustees of savings banks, section 10.....	42
Judges of, to approve resolution to compensate trustees of savings banks, section 28.....	46
Judges of, may appoint persons to examine and report as to condition, etc. of saving banks, section 30.....	47
To protect funds of savings banks, when necessary, section 30.....	47
Judges of, authorized to employ short-hand reporters.....	52, 53
auditor may institute suit in, to enforce lien for taxes, section 1.....	50
clerks of, to enter judgment against sheriff, in what cases, section 44.....	97
person aggrieved by judgment of clerk of, how relieved, section 45.....	97
may order sale of property by personal representative, to pay tax on inheritances, etc., section 3.....	112.
may decree sale of real estate to pay inheritance tax, when, section 11....	113
to determine what proportion of tax on collateral inheritances, etc., reversions, etc., to pay; when and how, section 12.....	113, 114
proceedings by, when such parties refuse, etc., to pay such tax, section 13.....	114
Judges of, may commit children to orphan asylum; for what cause, section 1.....	133
abstract of evidence to accompany such commitment, section 1.....	133
certain claims allowed and certified by, for the keeping of lunatics, authorized to be paid, section 1.....	160
duty of, as to proceedings by owners of coal mines to appropriate certain lands for certain purposes, section 7.....	164, 165
duty of, when application is made for an injunction to restrain the operating of certain coal mines, section 12.....	168
allowances by, to jailers, section 2?.....	182, 183
what to allow for the maintenance of lunatics in jail, section 15.....	240
certain sections of act relating to the trial of indictments for felony in, amended.....	243 to 245
all claims allowed by, to be reported by clerk to auditor; when report to be transmitted and what to show, section 1.....	245
appropriations to pay salaries and mileage of Judges of.....	248, 249
appropriations to pay persons who hold the courts where Judges of, cannot act.....	248, 249
appropriations for contingent expenses of,.....	256, 268
joint resolution requesting judges of, not to institute nor maintain prosecutions against persons for selling at retail tobacco, etc., without a state license.....	275, 276
calendar of terms of, in the several circuits, appendix.....	vi to xi

## CIRCUSES AND MENAGERIES,

license to exhibit, section 2.....	84
penalty for exhibiting, without license, section 3.....	84
tax on each exhibition, section 31.....	91
tax on license to exhibit, section 84.....	103

## CITIES,

carcasses and other noxious matters prohibited from being deposited upon streets, alleys, public grounds, etc., of.....	59 60
proceedings to abate; penalty if not abated.....	60
charter of city of Wellsburg, amended.....	20 to 35
charter of city of Parkersburg, amended.....	61 to 80
charter of Grafton, amended.....	121 to 131
charter of city of Charleston, amended.....	205, 206

<b>CIVIL CONTINGENT FUND,</b>	
appropriations for .....	254, 267
<b>CIVIL SUITS,</b>	
appropriations to pay expenses. ....	257, 269
<b>CLAIMS,</b>	
what claims clerk of circuit courts to report to auditor; when and what report to show, section 1.....	245
penalty on clerk for failure, section 3.....	245
<b>CLERK OF CIRCUIT COURT,</b>	
to enter judgment against sheriff, etc., in certain cases, section 41 .....	87
annual allowance to, by county court; act amended, section 49.....	215
to report to auditor all claims allowed and certified for payment out of state treasury; when, section 1 .....	245
what such report to show, section 1.....	245
who to furnish blank forms, section 2.....	245
penalty for failure to perform duty required, section 3.....	245
<b>CLERK OF COUNTY COURT,</b>	
duty of, as to lists of sale and redemption of lands returned to, section 14	9
what fees to receive, when not specially provided for, section 31.....	37
limitation to collection of fees of, section 31.....	37
plat and certificate of survey and order allowing redemption, to be recorded in office of. ....	39
savings banks; certificates of incorporation of, to be filed in office of, section 4.....	40
duty of, as to transfer and assignment of license, sections 26 and 27.....	93
fee of, for alteration or assignment of license, section 28.....	93, 94
duty of, as to certificate of vote on adoption of new road law, section 4.....	107
inventory of property subject to collateral inheritance tax, to be returned to office of, when, section 8 .....	113
collateral inheritance tax to be paid by personal representative to; when, section 11.....	113
may apply to circuit court for sale of what property for non-payment of tax on collateral inheritance, section 12.....	114
duty of, to commit certain estate to sheriff; when, section 16.....	114
duplicate receipts to be given by, for tax on collateral inheritances, etc., section 17.....	114
to pay, etc., to auditor all money received, etc.; when; commission; section 16.....	114, 115
penalty for failure to account for and pay over moneys, section 19.....	115
may commit children to orphan asylum, for what causes, section 1.....	133
abstract of evidence to accompany such commitment, section 1.....	133
certificate of returns of result of election on proposed amendments to the constitution to be delivered to, when and by whom, sections 3.....	151, 160, 168
duty as to such certificates; also as to certificates of commissioners of county court, section 4.....	151, 181, 188
map of abandoned coal mines to be filed in the office of, section 5.....	164
within what time, section 5.....	164
trustee to give bond before; when, section 6.....	178
filing and recordation of such bond, section 6.....	179
permit to be given by, to sell certain goods, section 1 .....	191
such permit to be handed and charged to sheriff for collection, section 1.....	191
penalty on person failing or refusing to obtain such permit, section 3.....	191
duty of, as to receipts for tax paid by itinerant physicians, etc., section 14	197
reports to, of marriages, births and deaths, sections 24, 26 and 27.....	198, 199
physicians and accoucheurs to register their names and postoffice address with, section 24 .....	198
what registers to keep, section 28.....	199
what report to make to registrars of vital statistics, section 28.....	199

CLERK OF COUNTY COURT—Continued.

When to make, and fee for, such report, section 28.....	180
penalty for failure to make report, section 28.....	190
duty of, as to forms furnished for record of marriages, births and deaths, section 29.....	190
act requiring, to list and post deeds, repealed.....	200
annual allowance to, by county courts; act amended, section 40.....	215
power of attorney, by corporations appointing agent to accept service of process, to be recorded in the office of, section 24.....	217
certificate of foreign corporations to be filed and recorded in the office of, section 30.....	218
copy of charter of such corporation to be filed in the office of, section 30...	218

CLERK OF SUPREME COURT OF APPEALS,

appropriation to pay salary of.....	248, 249
appropriation for furniture for office of.....	257

COAL MINES,

state divided into two mining districts, section 1.....	161
inspection of, provided for, sections 1, 2, 3, 4.....	161, 162, 163
inspectors of, how and when appointed, section 2.....	162
their term of office, qualification, etc., section 2.....	162
their oath of office, bond, salary, etc., section 3.....	162
duties of inspectors of, section 4.....	162, 163
operators or agents of, to make map or plan of, section 5.....	163
what such map or plan must show, section 5.....	163
copy of such map, etc., to be furnished inspector, when; how preserved, section 5.....	163
original, where kept, section 5.....	163
survey of mines, when, section 5.....	163
map of such survey, what to show, section 5.....	163
such map to be delivered to inspector, section 5.....	163
survey and map of mine to be made before abandonment, section 5.....	163, 164
map of abandoned mine where filed and when, section 5.....	164
if operator fail to make survey and maps; what then, section 5.....	164
unlawful to employ persons to work in mines, except, etc., section 6.....	164
outlets to be provided with roadways; to be kept clear, section 6.....	164
if outlets be by shaft, appliances for escape to be provided, section 6.....	164
to what mines not to apply, section 6.....	164
when and for what purpose owners may appropriate adjoining land, sec- tion 7.....	164
proceedings in such cases, section 7.....	164, 165
certain mines to be provided with metal tubes, for communication, sec- tion 8.....	165
means for signaling; safety-catch, safety gate, etc., section 8.....	165
hoisting machinery; how kept, when and by whom inspected, section 8...	165
engineers in charge of certain machinery in certain mines, must be com- petent and sober, section 9.....	165
duty of such engineers as to interference with such machinery, section 9.....	165
engineers not to be interfered with, etc., section 9.....	165
how many persons can ride on car, etc., section 9.....	165
no person to ride on loaded car, etc., section 9.....	165
width of slopes or engine-planes, section 9.....	165
refuge holes; dimensions; how far apart; how kept, section 9.....	165
ventilation of, section 10.....	165, 166
when break-throughs to be made or brattices used for ventilation, sec- tion 10.....	166
precaution to be taken in mines generating fire-damp, section 10.....	166
fire boss; his duties as to examination when gas exists, section 10.....	166
workmen not to enter such mines until examined and reported safe, sec- tion 10.....	166

## COAL MINES—Continued.

dry coal dust in such mines not to accumulate; to be watered down, section 10.....	166
safety lamps; by whom furnished and in whose charge kept, at least one to be kept at each mine, section 10.....	166
"mining-boss" to be employed in each mine, section 11.....	166
his qualifications, section 11.....	166
his duties, section 11.....	166, 167
workman to notify mining-boss, of what, section 11.....	167
mining-boss to notify operator or agent, of what, section 11.....	167
duty of operator or agent in such case, section 11.....	167
duty of operators or agents to furnish proper facilities to inspector for entering mines, etc., section 12.....	167
duty of inspector when provisions of act not complied with, section 12... proceedings by inspector to enjoin the operations of mines; when, section 12.....	167, 168
costs, how paid, section 12.....	168
who not allowed to work in mines, section 13.....	168
injury of property and acts endangering security, etc., of mines, prohibited, section 14.....	168
persons having the right not to be prohibited from working in mines, section 14.....	168
in case of certain accidents, who to be notified, section 15.....	168, 169
if any one is killed, who to be notified, section 15.....	169
duty of inspector upon receiving notice, section 15.....	169
power of inspector to compel attendance of witnesses and administer oaths, section 15.....	169
cost of investigation; how paid, section 15.....	169
inquest and proceedings, section 15.....	169
rights of inspector concerning inquests, section 15.....	169
copy of testimony and verdict delivered to inspector, section 15.....	169
annual reports of operators or agents to inspector, when; what to state, section 16.....	169
forms for such reports, by whom furnished, section 16.....	169
operators or agents failing to perform duty, etc., how punished, section 17	169, 170
other persons failing to perform duty, etc., how punished, section 17.....	169, 170
in default of payment of fine, what then, section 17.....	170
to what mines act to apply, section 18.....	170
acts repealed, section 19.....	170
persons, firms, corporations or associations operating, to pay their employees their wages at regular intervals and in lawful money, sections 1 and 2.....	192
character of order that may be issued for the payment of labor, section 3	192, 193
merchandise and supplies sold to employes, section 4.....	193
suit for failure to settle with employes or redeem orders, section 5.....	193
lien of employes, section 5.....	193, 194
<b>CODE, AMENDED,</b>	
chapter 119, section 1, relating to licensing attorneys at law.....	18, 19
chapter 163, section 24, relating to the penitentiary.....	58, 59
chapter 32, concerning licenses.....	88 to 105
chapters 32 and 33, concerning licenses and amount or rate of tax on each subject of taxation, amended and consolidated.....	88 to 105
chapter 50, section 34, service of process and notice.....	186, 187
chapter 161, section 3, taxation and allowance of costs.....	189, 190
<b>CODE, PUBLICATION OF,</b>	
second edition of code authorized to be published.....	232, 233
style of and what to contain.....	233
by whom to be approved.....	233
how distributed.....	234
appropriation to pay for publication.....	233

CODE, REPEALED,

chapter 51, sections 63 and 64, concerning joint stock companies without special charters, as amended and re-enacted by chapter 97, acts 1882..... 36

COLLATERAL INHERITANCES,

tax imposed on, section 1..... 111, 112  
 exception, section 1..... 112  
 personal representative; duty of, as to tax on, section 2..... 112  
 tax to be on appraised value, except, etc., section 3..... 112  
 personal representative may be authorized to sell property to pay tax on, section 3..... 112  
 real estate subject to tax as, how appraised, section 4..... 112  
 when property is in more than one county, how appraised, section 5..... 112  
 separate inventories of real and personal estate, section 6..... 112  
 failure of appraiser to act, section 7..... 113  
 inventory of real estate of decedent, how made, to whom returned, section 8..... 113  
 validity of appraisement of, section 9..... 113  
 tax a lien on real estate, from and until when, section 10..... 113  
 payment of tax on, when and by whom, section 11..... 113  
 tax on, to whom paid, section 11..... 113  
 failure to pay tax on, what then, section 11..... 113  
 remainder or reversionary interest; proportion of tax to be paid by parties interested, section 12..... 113  
 proceedings to ascertain such proportion, section 12..... 113, 114  
 tax on, to be paid within what time, section 12..... 113, 114  
 proceedings where party entitled in reversion, etc., refuse or neglect to pay tax on, decreed, section 13..... 114  
 liability of personal representative for tax on, section 14..... 114  
 personal representative failing to perform duties; what then, section 15, when estate committed to sheriff, section 16..... 114  
 duplicate receipts to be given by clerk for tax on, section 17..... 114  
 clerk to pay over tax on, to auditor; when; clerk's commission, section 18..... 114, 115  
 proceedings against clerk for failure to pay over tax on, section 19..... 115

COLLEGES,

how much land trustees of, may hold, section 7..... 116

COMMISSIONERS,

to locate portion of boundary line between this state and the state of Virginia, act in relation to..... 242, 243

COMMISSIONER OF ACCOUNTS,

when trustee to settle his accounts before, section 6..... 179

COMMISSIONERS OF COUNTY COURT OF PRESTON COUNTY,

under modified system; how many; when elected; their terms of office, etc..... 16, 17

COMMISSIONERS OF ELECTION.

duty of, as to vote on proposed amendments to the constitution, to be submitted at the next general election, sections 2, 3..... 150, 180, 187, 188

COMMISSIONERS, LIST OF,

appointed by the governor in other states, appendix..... III to v.

COMMITTEES, JOINT,

to investigate the management and examine into the condition of the penitentiary..... 226  
 to investigate the management of the hospital for the insane..... 228  
 to consider the propriety and the necessity of the publication of the laws of this state..... 228  
 to investigate contracts for furnishing school books..... 229  
 to wait upon the governor..... 234

<b>CONCORD NORMAL SCHOOL,</b>	
certain grounds owned by, authorized to be exchanged.....	57, 58
<b>CONGRESS,</b>	
requests to our senators and representatives in, .....	223, 234, 226, 227, 275
<b>CONSTITUTION, PROPOSED AMENDMENTS TO,</b>	
to section 13, of article III, concerning suits at common law, etc.....	232
act submitting same to the voters of the state, for ratification or rejection	150 to 132
to section 46, of article VI, prohibiting the manufacture and sale of in-	
toxicating liquors.....	230, 231
act submitting same to the voters of the state for ratification or rejection.	179 to 182
to section 22, of article VI, extending the session of the legislature to six-	
ty days .....	223
act submitting same to the voters of the state, for ratification or rejec-	
tion.....	187 to 189
appropriation to pay for publication of,.....	240
<b>CONSTITUTION, STATE,</b>	
relations of state to the government of the United States, article I.....	279
the state, article II.....	280, 281
bill of rights, article III.....	281 to 285
elections and officers, article IV.....	285 to 287
division of powers, article V.....	287
legislature, article VI.....	288 to 298
executive department, article VII.....	293 to 302
judicial department, article VIII.....	303 to 311
supreme court of appeals, article VIII.....	303, 304
circuit courts, article VIII.....	304, 305, 306
general provisions concerning courts, article VIII .	306, 307
county courts, article VIII.....	308, 309, 310
county organization, article IX.....	311, 312
taxation and finance, article X ..	312, 313, 314
corporations, banks, railroads, article XI.....	314 to 317
education, article XII.....	317, 318, 319
land titles, article XIII.....	319, 320, 321
amendments, how made, article XIV.....	321, 322
amendments proposed to .....	230, 232, 233
<b>CONVICT LABOR,</b>	
contract to be entered into for, when bid is accepted and labor awarded,	
section 10.....	186
bond of bidder, section 10.....	186
blank form of contract and bond, where deposited; when and for what,	
section 10.....	186
directors of the penitentiary may, by consent, alter or discontinue con-	
tract, section 10 .....	186
<b>CORONERS,</b>	
to be notified of loss of life in coal mines; by whom, section 15.....	169
duty of, if inquest be held, section 15 ..	169
required to report all cases of death coming under their supervision, sec-	
tion 20 .....	199
<b>CORPORATIONS,</b>	
certain railroad, relieved from forfeiture of charter, when and how.....	13, 14
charter of Wheeling Hospital, amended.....	14, 15
provisions for establishing savings banks, as.....	39 to 49
certain, relieved from forfeiture, etc .....	54, 55
notice to be given such, by auditor.....	55
duty of secretary of state as to certain corporations redeeming their char-	
ters .....	54, 55
license to do business, section 2 .....	84
penalty for acting without license, section 3.....	84

INDEX.

xviii

CORPORATIONS—Continued.

tax on license of, sections 88, 87.....	104
failure to pay tax by, forfeits charter, section 88.....	104
duty of auditor to notify; when and of what, section 89.....	104
list of, forfeiting charters, to be published, how and when, section 90.....	104
payment of tax by, within what time relieves from forfeiture, section 9.....	104, 105
on what, license tax not imposed, section 91.....	105
duty of secretary of state as to license tax of, section 92.....	105
general powers of railroad corporations incorporated without special charter, section 50, chapter 17, acts of 1881, amended .....	130 to 141
charter of railroad corporations incorporated without special charter, when and how perfected section 68, of chapter 17, acts of 1881, amended	141, 142
capital stock of, incorporated without special charter, except for railroad or canal purposes; act amended, section 5.....	144
service of process and notice on, in justices' court; section 34, of chapter 50, of the code, concerning, amended .....	186, 187
certain corporations to pay wages of employes at regular intervals, and in lawful money.....	192 to 194
section 24, chapter 17, acts of 1881, concerning, without special charters, amended.....	216, 217
must appoint agent to accept service of process, etc., when and how, section 24.....	217
such agent must return property of corporation to assessor, section 24.....	217
power of attorney, appointing such agent, where filed and recorded, section 24.....	217
what deemed evidence of compliance, section 24.....	217
time within which corporations heretofore organized may comply, section 24.....	217
forfeiture for failure, section 24.....	217
when, for such failure, corporation deemed a non-resident; attachment of its property, section 24.....	217
when for such failure, corporation forfeits its charter, section 24.....	217
section 30, chapter 97, acts of 1862, concerning foreign corporations, amended what foreign corporations may do business in this state and hold property, section 30.....	217, 218
rights, powers and privileges of such corporations, section 30.....	218
what to file with the secretary of state, section 30.....	218
certificate of secretary of state; where filed and recorded, section 30.....	218
copy of charter of such corporations to be filed, where, section 30.....	218
railroad corporations doing business in this state, declared domestic corporations; to what extent, section 30.....	218
railroad corporations chartered elsewhere not to be lessees of works, etc., of any other corporation, or bring suit, in this state, until, etc., section 30.....	218
failure to comply with the provisions of this section, by any such railroad corporation, may be pleaded in abatement, section 30.....	218
non-compliance not to lessen liability upon any contract or for any wrong, section 30.....	218
penalty for failure to comply with the provisions of this section, section 30.....	218
prosecutions against, where instituted, section 30.....	218
fee for certificate issued to corporations under this section, section 30.....	218, 219

CORPORATIONS, CERTIFICATES ISSUED BY SECRETARY OF STATE TO,

Academy, St. George.....	369
Advertising Company, The North, South, East and West.....	416
Afton Natural Gas Company—certificate of redemption of charter.....	587
Agricultural Association of Berkeley county, West Virginia Valley—dissolution of.....	338
Agricultural and Mechanical Society, West Virginia Central—charter extended.....	516



## CORPORATIONS, CERTIFICATES ISSUED BY, TO &amp;c.—Continued.

American Marine and Canal Propeller Company, The.....	568
Amherst Hydraulic Motive Power Company—certificate of redemption of charter.....	502
Asphalt Paving Company, The Barber—increase of capital stock.....	435
Automatic Portable Gas Works, The Independent.....	549
Axle Manufacturing Company, Empire.....	406
Bank, The Tygart's Valley.....	423
Bank, The Keyser ..	419
Bank of Wheeling, The City.....	472
Bank of Piedmont, The.....	491
Bank of Kingwood, The .....	489
Bank of Hinton, The.....	518
Ballot-Box Company, Standard Cancelling—increase of capital stock .....	569
Baltimore, Cincinnati and Western Railroad Company—certificate of redemption of charter.....	586
Base Ball Association, The Wheeling .....	482
Black Barret Consolidated Mining Company, The—certificate of redemption of charter.....	590
Boom Company, Coal River.....	341
Boom Company, Coal River—dissolution of .....	451
Boom Company, The Kanawha and New River.....	474
Boom Company, The Beaver .....	483
Boom Company, Glade Laurel and Dry Forks and Cheat River .....	487
Boom, Dam and Lumber Company, Piney River.....	361, 365
Boom and Dam Company, The Buffalo Creek—discontinued.....	371
Boom and Lumber Company, Mill Creek .....	486
Boom and Lumber Company, Cheat River.....	521
Boom and Lumber Company, The Cheat Valley.....	526
Boom and Timber Company, The Coal River. ....	470
Brick Company of Washington, D. C., National Press .....	553
Bridge Company, Point Pleasant .....	456
Buckeye Glass Company—certificate of redemption of charter.....	592
Building Association No. 7, Jefferson county.....	398
Building Association, Weston.....	127
Building Association, Globe .....	443
Building Association, Young Mens'.....	445
Building Association No. 8, Jefferson County.....	465
Building Association, Harrison County—dissolution of.....	516
Building Association, Traders—erroneously published as having forfeited charter, reinstated .....	579
Building and Loan Association, Hinton.....	468
Building and Loan Association, Mutual.....	481
Camp Meeting Association, Clarksburg District.....	355
Camp Patton.....	464
Car Coupling Company, The Thurmond.....	531
Cattle Company, North Montana.....	440
Cemetery Association of Grant District, Union.....	351
Cemetery Association, Bethel.....	392
Cemetery Company, Wood Lawn.....	390
Cemetery, Greenwood—charter extended.....	421
Chase Improved Cold Blast Refrigerator Car Company, The.....	573
China Clay and Fire Brick Company, Virginia—charter amended.....	471
Coal Company, South Gaston Gas .....	327
Coal Company, Black Diamond .....	418
Coal Company, Armstrong .....	511
Coal Company, The Big Sandy Iron and.....	524
Coal Company, The Pittsburgh and Southern.....	563
Coal Company, Union—certificate of redemption of charter.....	590
Coal Company, Kanawha, Iron and,—certificate of redemption of charter.....	587

CORPORATIONS, CERTIFICATES ISSUED BY, &c., TO—Continued.

Coal River Cannel Coal Company of West Virginia—certificate of redemption of charter.....	588
Coal and Coke Company, Burry.....	361
Coal and Coke Company, of West Virginia, Howard.....	414
Coal and Coke Company, Beechwood... ..	469
Coal and Coke Company, The Montana.....	511
Coal and Iron Company, Kingwood Gas—charter extended.....	388
Coal and Oil Company, Mount Farm—time of continuance extended.....	374
Coal and Timber Company, Interior.....	410
Coal and Timber Company, The American.....	571
College, Wheeling Female—charter extended.....	330
Colliery Company, Limited, Great Kanawha—certified copy of charter, etc., filed.....	323
Commercial Enslage Company, The.....	425
Concert Hall Company, The Weston.....	473
Co-operative Association, Parkersburg.....	360
Co-operative Company, Sewell Mountain—change in limit of number of shares to be held.....	323
Co-operative Nail Company.....	356
Co-operative Society, The Huntington.....	506
Corn Harvesting Company, Karlocofe.....	410
Cotton Gin Company, The Montgomery Long-Fibre.....	350
Cotton Gin Company, Johnson Lumley Long Staple.....	530
Creamery Company, The Greenbrier.....	481
Detective Agency, Enterprise.....	400
Development Company, Penokee and Gogebie—certificate of redemption of charter.....	585
Drug Company, Laughlin Bros.....	396
Electrical Annunciator Target and Manufacturing Company, The.....	574
Electrical Company, Wheeling—certificate of redemption of charter....	580
Electric Light and Power Company, The Parkersburg.....	497
Electric Company, the Ohio River.....	532
Electric Light Company, Kanawha.....	504
Electric and Telephone Company, Exchange.....	325
Endowment Association, Equitable.....	333
Engine Company, of Washington, D. C., Campbell.....	535
Enslage Company, The Commercial.....	425
Fair Association, The Ravenswood District Exposition.....	329
Fair Association, The Cameron.....	478
Female College, Wheeling—charter extended.....	330
Fire Brick Company, Virginia China Clay and,—charter amended.....	471
Fire Escape Company, The National Combined stand Pipe.....	514
Fire Extinguishing Company, The Bartlett.....	370
Fire-Proof Construction and sky-light Company, The American.....	347
Free Gas and Oil Company of Pittsburgh, The—certificate of reinstatement.....	580
Gas Company, Manufacturers.....	311, 332
Gas Company, Parkersburg—charter extended.....	310, 311
Gas Company, Null City Oil and.....	420
Gas Company of Gallipolis, Ohio, The Natural.....	424
Gas Company, The Wheeling Natural.....	434
Gas Company, The South Western oil and.....	480
Gas Company, The Wheeling Natural.....	320
Gas Company, The McGraw's Run Oil and.....	510
Gas Company, Elm Grove Oil and.....	494
Gas Company, Grafton—certificate of reinstatement.....	562
Gas Company, Afton Natural—certificate of redemption of charter.....	587
Gas Illuminating Company, Natural.....	467
Gas Light Company, The Incandescent.....	545
Gas Light Company, The Incandescent—capital stock increased.....	553

CORPORATIONS, CERTIFICATES ISSUED BY, &c., TO—Continued.

Gas Light Company, The District of Columbia.....	557
Gas, Coal and Iron Company of West Virginia, Kingwood—charter extended.....	386
Gas Machine and Portable Gas Lamp Company, Standard.....	562
Gas, Oil and Gas Coal Company, West Virginia.....	417
Gas, Oil and Mineral Company, Natural.....	391
Gas and Oil Company, Southern Natural.....	514
Gas and Oil Company of Pittsburgh, The Free—certificate of reinstatement.....	581
Gas Works, The Independent Automatic Portable.....	549
Glass Works, Wellsburg Window.....	342, 343
Glassware Company, The Lazear.....	474
Glass Company, Buckeye—certificate of redemption of charter.....	592
Gold Mining Company, The.....	558
Grafton Gas Company—certificate of reinstatement.....	582
Grate Company, American Water Bar.....	353
Great Kanawha Company, The.....	502
Greenbrier White Sulphur Springs Company—certificate of redemption of charter.....	589
Gunter Oil Company, The—name changed and capital stock increased.....	550, 551
Hall Company, The Weston Concert.....	473
Hardware Company, The W. H. Smith.....	457
Harpers Ferry and Smithfield Turnpike Company—certificate of redemption of charter.....	589
Heat and Power Company, Washington.....	366
Heat and Power Company, The Baltimore.....	432
Hinge Company, Wheeling—charter extended.....	357, 338
Hotel Company, The Washington.....	529
Hydraulic Motive Power Company, Amherst—certificate of redemption of charter.....	592
Ice Machine Company, The Florence.....	362
Illuminating Company, Natural Gas.....	467
Illuminating Company, The Knoxville.....	570
Improvement Company, West Virginia.....	345
Improvement Company, The West Virginia—capital stock increased.....	356
Improvement and Construction Company—name of "Railroad Construction Company," changed to.....	449
Improvement and Construction Company, The—dissolution of.....	559
Incandescent Gas Light Company, The.....	545
Incandescent Gas Light Company, The—capital stock increased.....	553
Insurance Company, Liverpool and London and Globe—certified copy of certificate, etc., filed.....	347
Insurance Company, The Phoenix—certified copy of charter, etc., filed.....	352
Insurance Company, Washington Fire and Marine—certified copy of certificate of incorporation, etc., filed.....	354
Insurance Company, Etna Fire and Marine—extension of charter.....	415
Insurance Company of Wheeling, Fire and Marine.....	451
Investment and Development Company, The National—charter amended.....	380
Iron Company, Beaver Falls.....	379
Iron Company, The Standard.....	454
Iron and Coal Company, Kanawha—certificate of redemption of charter.....	487
Iron and Coal Company, The Big Sandy.....	524
Ivenhoe Grand Consistory of the Ancient Accepted Scottish Right Masonry of West Virginia.....	407
Johnson Lumley Long Staple Cotton Gin Company.....	530
Kanawha Company, The—dissolution of.....	413
Kanawha Iron and Coal Company—certificate of redemption of charter.....	557
Kansas City Mining Company, The—certificate of redemption of charter.....	591
Knights of the Mystic Seven, Supreme Grand Council of the.....	460

CORPORATIONS, CERTIFICATES ISSUED BY, &c., TO—Continued.

Krotophone Company of West Virginia, The.....	863
Lantern Company, The Nail City.....	453
Law and Trust Company, National.....	428
Life Association of Virginia, The Valley Mutual—certified copy of certificate of Incorporation, etc., filed.....	348
Life Company, The Ohio Valley—name of "Ohio Valley Protective Union" changed to,.....	401
Life Company, Ohio Valley—charter amended.....	528
Life Insurance, New York—certified copy of certificate, etc., filed.....	316, 317
Life and Maturity Association of Washington, D. C., The National—charter amended.....	556
Life and Maturity Association of Washington, D. C., National—erroneously published as having forfeited its charter; reinstated.....	580
Lock Company, The Taylor Nut.....	372
Lumber Company, Buckhannon River.....	375
Lumber Company, J. L. Rumbarger—capital stock increased and charter amended.....	380
Lumber Company, Beaver Lick—.....	534
Lumber Company, Shaw—.....	572
Lumber Company, Piney River Boom, Dam and,.....	364
Lumber Company, Mill Creek Boom and,.....	486
Lumber Company, Cheat River Boom and,.....	523
Lumber Company, The Cheat Valley Boom and,.....	528
Lumber and Building Company, Charleston.....	888
Manganese Mining and Manufacturing Company of Philadelphia, The....	518
Manufacturing Company, Emerson.....	399
Manufacturing Company, The West Virginia.....	405
Manufacturing Company, The Keystone....	108
Manufacturing Company, Hanna and Nye.....	463
Manufacturing Company, Empire Axle.....	468
Manufacturing Company, The Steigh and Smith Rotary Engine and,.....	514
Manufacturing Company of Washington, D. C., The Novelty.....	538
Manufacturing Company, The Renovo.....	513
Manufacturing Company, The Keystone—capital stock increased.....	553
Manufacturing Company, Mayhew.....	555
Manufacturing Company, The Electrical Annuciator Target and,.....	574
Manufacturing Company, The Blue and Spirit Aging and,.....	547
Marble Company, Enterprise.....	510
Marine and Canal Propeller Company, The American.....	168
Martinsburg and Winchester Turnpike Company—certificate of redemption of charter.....	585
Maryland Brown Stone Company.....	541
Masonic Temple Association, The.....	441
Masonry of West Virginia, Ivenhoe Grand Consistory of the Ancient Accepted Scottish Rite.....	407
Military Institute, Kanawha.....	357
Milling Company, L. A. Carr.....	332
Mineral Springs Company, The Massanetta.....	544
Mining Company, The Jed Silver.....	326
Mining Company of West Virginia, Ocean.....	371
Mining Company, The Gold.....	558
Mining Company, Silver Leaf.....	637
Mining Company, The Kansas City—certificate of redemption of charter.....	591
Mining Company, The Black Barnet Consolidated—certificate of redemption of charter.....	500
Mining and Manufacturing Company, Wheeling.....	523
Mining and Manufacturing Company of Philadelphia, The Manganese....	548
Mining and Manufacturing Company, George's River.....	566
Mount Carbon Company, Limited—certified copies of articles, etc., filed..	329
Mutual Aid Association, Ohio and West Virginia.....	477

CORPORATIONS, CERTIFICATES ISSUED BY, &c., TO—Continued.

Nall Company, Laughlin—Increase of capital stock.....	356, 357
Nall Company, Co-operative.....	386
National Law and Trust Company.....	428
National Life and Maturity Association of Washington, D. C., The—charter amended.....	550
National Life and Maturity Association of Washington, D. C.—certificate of reinstatement.....	580
Oil Company, West Virginia.....	343
Oil Company, S. P. Wells—dissolution of.....	385
Oil Company, The Fargo.....	412
Oil Company, U. S. Lubric.....	422
Oil Company, Wheeling.....	442
Oil Company of Wheeling, Central.....	455
Oil Company, Ohio and West Virginia.....	485
Oil Company, The Rock Run.....	507
Oil Company, Southern Natural Gas and.....	514
Oil Company, The Gunter—Increase of capital stock, and change of name.....	550, 551
Oil Company of Pittsburg, The Free Gas and,—certificate of reinstatement.....	581
Oil Company, The Sweetzer—certificate of reinstatement.....	583
Oil and Gas Company, Nail City.....	420
Oil and Gas Company, The South-Western.....	480
Oil and Gas Company, Elm Grove.....	494
Oil and Gas Company, The McGraw's Run.....	519
Oil and Gas Coal Company, West Virginia Gas.....	417
Oil and Mineral Company, Natural Gas.....	391
Oil and Soap Company, Upson's.....	430
Packet Company, The Emma Graham.....	339, 340
Paper Company, The Harvey.....	352
Paper Company, Hanna and Clemmans.....	444
Paper Company, The Harper's Ferry.....	501
Paper Company, The Superior Wax.....	575
Park, Riverside.....	328
Patton, Camp.....	404
Paving Company, The Barber Asphalt—Increase of capital stock.....	435
Penokee and Gogebic Development Company—certificate of redemption of charter.....	585
Petroleum Coal and Lumber Company, The Great Kanawha—charter extended.....	331
Petroleum, Fuel and Motor Company, The.....	373
Petroleum Fuel Company, The.....	385
Pittsburgh-Kanawha Company—name of "The Gunter Oil Company" changed to.....	551
Pneumatic Power Company, The.....	431
Pneumatic Power Company—Increase of capital stock.....	543
Point Pleasant and Ohio River Railroad Company—certificate of redemption of charter.....	581
Pottery Company, The Wheeling.....	458
Press Brick Company, of Washington, D. C., National.....	533
Printing Company, Huntington—dissolution of.....	421
Process Company, The Washington and Western Russell.....	530
Protective Union, The Ohio Valley—principal office and place of business changed.....	402, 403
Publishing Company, Kanawha Valley.....	508
Publishing Company, The Wayne County.....	510
Publishing Company, The Blackstone.....	561
Pulp Company, The Shenandoah.....	500
Railroad, Berkeley Springs and Potomac.....	446
Railroad Company, The Berkeley Springs and Potomac.....	333, 334
Railroad Company, Pittsburgh and Preston County.....	303

## CORPORATIONS, CERTIFICATES ISSUED BY, &amp;c., TO—Continued.

Railroad Company, Wheeling Junction.....	397
Railroad Company, Ripley and Mill Creek.....	402
Railroad Company, Piedmont and Cumberland.....	435
Railroad Company, the West Virginia and Ohio.....	459
Railroad Company, Keyser, Moorefield and Southwestern Virginia..	493
Railroad Company, Cumberland, Moorefield and Southwestern.....	496
Railroad Company, Point Pleasant and Huntington.....	505
Railroad Company, Point Pleasant and Ohio River—certificate of redemption of charter.....	584
Railroad Company, South Branch—certificate of redemption of charter...	588
Railroad Construction Company.....	409
Railroad Construction Company—name of, changed to "Improvement Construction Company".....	449
Railway Company, Pioneer.....	314
Railway Company, The Kanawha and Ohio.....	389
Railway Company, Ravenswood, Spencer and Glenville.....	436
Railway Company, The Virginia, Charleston and Northern.....	176
Railway Company, West Virginia Midland—name changed.....	511
Railway Company, Baltimore, Cincinnati and Western—certificate of redemption of charter.....	588
Railway and Power Company, Safety Electric.....	554
Real Estate Company, Masonic.....	48
Refrigerator Car Company, The Chase Improved Cold Blast.....	573
Rink Company, Alhambra Palace.....	324
Roaster Company, The Hydro-Carbon Ore—capital stock increased.....	337
Roofing Company, Kanawha Iron.....	367
Safety Deposit and Trust Company, The United States and Cuba.....	546
Safe Electric Railway and Power Company.....	554
Salt Sulphur Springs, Union and Fort Spring Telephone Company—certificate of redemption of charter.....	591
Signal and Telephone Company, The Pneumatic.....	377
Silver Mining Company, The Jed.....	320
Silver Leaf Mining Company.....	537
Sleigh & Smith Rotary Engine and Manufacturing Company, The.....	513
Soap Company, Economy.....	503
Soap and Oil Company, Upson's.....	430
South Branch Railroad Company—certificate of redemption of charter...	588
Sportsman's Association of Cheat Mountain, The.....	525
Spring Company, The Massanetta Mineral.....	544
Standard Cancellling Bullet Box Company—Increase of capital stock.....	569
Standard Gas Machine and Portable Gas Lamp Company.....	562
Steel Company, Laughlin and Junction.....	336
Steel Works, Wheeling.....	349
Stock Car Company, The Shellbarger Live.....	376
Stove Company, Belmont—dissolution of.....	359
Stone Company, Maryland Brown.....	511
Supreme Grand Council of the Knights of the Mystic Seven.....	460
Sweetzer Oil Company, The—certificate of re-instatement.....	583
Telephone Company, Exchange Electric and.....	325
Telephone Company, The Clarkshurg.....	358
Telephone Company, The Pneumatic and Signal.....	377
Telephone Company, The Standard.....	392
Telephone Company, The Turnbull International.....	406
Telephone Company, The Princeton and Ingleside.....	429
Telephone Company of West Virginia, The Enumer.....	462
Telephone Company, The Southern.....	499
Telephone Company, The Acme.....	551
Telephone Company, House Improved.....	565
Telegraph Company, The Potomac.....	576
Telephone Company, Salt Sulphur, Union and Fort Spring—certificate of	

CORPORATIONS, CERTIFICATES ISSUED BY, &c., TO—Continued.

redemption of charter.....	591
Temperance Union, Woman's Christian.....	595
Timber Company, The Coal River Boom and.....	470
Timber Company, Interior Coal and.....	400
Timber Company, The American Coal and.....	571
Torpedo Company, The Howell.....	429
Towboat Company, McLaughlin.....	411
Traders Building Association—certificate of reinstatement.....	579
Transit Company, National—attested copy of certificate, etc., filed.....	330
Type Machine Company, Lanston.....	564
Type-Writing Machine Company, The Capital.....	382
Typographic Company, The National—change of principal office of.....	381
Turnpike Company, Martinsburg and Winchester—certificate of redemption of charter.....	586
Turnpike Company, Harper's Ferry and Smithfield—certificate of redemption of charter.....	589
Union Coal Company—certificate of redemption of charter.....	590
United States and Cuba Safe Deposit and Trust Company.....	516
Wax Paper Company, The Superior.....	575
Washington and Western Russell Process Company, The.....	536
Water Company, The Huntington.....	517
Wheeling Electric Company—certificate of redemption of charter.....	586
White Sulphur Springs Company, Greenbrier—certificate of redemption of charter.....	589
Wine and Spirit Aging and Manufacturing Company.....	577

COUNTY COURTS,

duty of clerk of, as to lists of the sale and redemption of lands, section 14, of Jefferson county authorized to find at lower rate of interest, etc., outstanding bonds of said county.....	9
authority of, to authorize the issuing of license, section 10.....	12, 13
what to require of applicants for certain license, sections 14, 22.....	87
power of, to revoke license, section 24.....	88, 91
may cause alteration or assignment of license, sections, 26, 27.....	92
appeals to, from assessor, section 32, (see also "Clerk County Court.").....	93
duty of, as to alternative road method, sections, 2, 4, 5, 16, 22.....	94, 95
appraisers appointed by, when property liable to inheritance tax, lies in more than one county, section 5.....	106, 107, 109, 110
appointment by, in case any such appraiser refuse, etc., to act, section 7.....	112
inventory to be returned to office of, section 8.....	113
may revoke administration of personal representative; when and how, section 15.....	114
duty of commissioners of, in ascertaining result of vote on the several amendments to the constitution, section 4.....	151, 181, 188
duty of, when petitioned to apply section 2 of chapter 47, concerning hunting, fishing, etc., to certain lands, section 2.....	155
duty of, as to alternative road method, sections 3, 4, 5, 6, 13, 20, 21.....	171 to 174
allowances by, to jailers, section 22.....	182
may appoint physician to attend certain persons confined in jail, sec. 3.....	190
how such appointment to be made, section 3.....	190
power of court to vacate such appointment, section 3.....	190
may provide prisoners with clothing; when; limit to cost, section 3.....	190
how allowances for physician and clothing paid, section 3.....	190
to appoint local boards of health, section 6.....	195, 196
to provide for free vaccination of the poor, section 21.....	195
president of, <i>ex officio</i> member of local county boards of health, section 22.....	196
annual allowances by, to certain county officers.....	214, 215

COUNTY COURT OF MARION COUNTY,

authorized to put in immediate operation the alternative road method.....	230
---	-----

# INDEX.

XXV

COUNTY COURT OF PRINCESTON COUNTY, act to reform, alter and modify the,.....	16, 17
to be submitted to vote of the people; majority vote necessary to adopt, sections 5 and 7.....	7
COUNTY SUPERINTENDENT OF FREE SCHOOLS, duty of, as to teachers' institutes, section 30.....	204
COURTS, (see titles, "Supreme Court of Appeals," "Circuit Courts" and "County Courts").....	
CRIMINAL CHARGES, appropriations to pay.....	251, 264
DAMS, Certain mill-dams and other, in Elk and Guyandotte rivers, declared public nuisances, section 1.....	153
Proceedings to abate, etc., sections 1, 2, 3.....	153
DEAD ANIMALS, Carcasses of, prohibited from being deposited in certain waters, near public roads, public grounds, etc.....	50, 60
Penalty, etc.....	60
DEAF AND DUMB AND BLIND, THE WEST VIRGINIA INSTITUTION FOR, Name of, changed to "The West Virginia Schools for the Deaf and the Blind".....	175
board of regents; how appointed, section 1.....	175
incorporation and powers of board, section 1.....	175
name of board, section 1.....	175
president and secretary, section 1.....	175
drafts or requisitions for money, section 1.....	175
meetings of board, section 1.....	175
quorum, section 1.....	175
for what, concurrence of majority of board required, section 1.....	175
assessors to register names of deaf and blind persons with certain facts, section 11.....	176
when to complete such report and forward to auditor, section 11.....	176
duty of auditor as to such report, section 11.....	176
principal's duty regarding same, section 11.....	176
compensation and liability of assessor, section 11.....	176
sections 1, 11 of chapter 71, amended.....	175, 176
appropriations for support of, etc.....	253, 264
Proviso as to compensation of regents of.....	253, 264
DEATHS, state board of health to have supervision of the state system of the reg- istration of, section 23.....	198
who to make report of, to clerk of county court, when and what to show, sections 24, 25, 26.....	199, 199
penalty for failure, section 24.....	198
register of, to be kept by clerk of county court, section 23.....	199
report to be made by such clerk, when, section 23.....	199
penalty for failure, section 23.....	199
who to prepare and furnish forms for record of, section 23.....	199
DEBT, act relating to bonded indebtedness of Jefferson county, amended.....	12-13
DEEDS, to land sold for taxes, effect of as evidence, section 29.....	57
of trust to secure debts or indemnify securities; duty and compensation of trustees in such deeds, section 6.....	178, 179
act requiring the listing and posting of, repealed.....	200



<b>DEER,</b>	
killing, hunting, etc., of, at certain times prohibited, section 1.....	154
hunting or chasing of, with dogs prohibited for five years, section 1.....	155
fine and imprisonment for violation, section 1.....	154, 155
jurisdiction of Justice, section 1.....	155
possession of fresh venison, etc., gives rise to what presumption, section 1.	155
proviso as to deer killed by the owners of premises, etc., section 1.....	155
penalty for hunting, etc., within the enclosed lands of another without	
permission, section 2.....	155
third conviction; duty of Justice, section 2.....	155
recognizance, section 2.....	155
provisions of act to apply to what uninclosed lands, section 2.....	155
when to apply to all lands in district, section 2.....	155
publication and posting of order of court, section 2.....	155
expenses how paid, section 2.....	155
<b>DELINQUENT LANDS,</b>	
list of sales by sheriff and redemption of, to be returned to clerk county	
court, sections 13 and 14.....	8, 9
lien on all real estate for taxes and interest, from what time. section 1.....	56
how such lien may be enforced, section 1.....	56
effect in evidence of deed for, section 29.....	57
<b>DEPOSITIONS,</b>	
of witnesses for accused in felony cases may be taken, when and how,	
section 1.....	243, 244
expense, how paid, section 1.....	244
when and to what extent to be read, section 1.....	244
<b>DISSOLUTION OF CORPORATIONS.</b>	
Valley Agricultural Association of Berkeley county, West Virginia.....	338
Belmont Stove Company.....	350
Buffalo Creek Boom and Dam Company.....	371
S. P. Wells Oil Company.....	385
The Kanawha Company.....	413
Huntington Printing Company.....	421
Coal River Boom Company.....	451
Harrison County Building Association.....	516
Improvement and Construction Company.....	550
<b>DESTITUTE CHILDREN AND ORPHANS,</b>	
(see title "Orphans").....	132, 133
<b>DISTRAINT,</b>	
time extended for, and sale for taxes and fee bills, section 1.....	117, 118
extension not to apply to taxes, etc., now barred, section 1.....	117
forthcoming bond and proceedings thereon, section 1.....	117, 118
levy must be actually made to create lien, section 1.....	117
defense to proceedings on forthcoming bond, section 1.....	118
security for costs, section 1.....	118
<b>DISTILLERIES,</b>	
license to carry on, section 1.....	83, 84
penalty for carrying on, without license, section 3.....	84
revocation of license to, section 24.....	92
assignment of license to, section 27.....	93
tax on license to carry on, section 54.....	99, 100
provision as to, of apple and peach brandy, section 65.....	100
<b>DISTRIBUTIVE SHARES,</b>	
tax imposed on, section 1.....	111, 112
(see title "collateral inheritances").....	111, 115

<b>DISTURBANCES,</b>	
of schools, societies, etc., or exhibitions, deemed misdemeanors; penalty, section 19.....	20
<b>DRINKS,</b>	
(see title "Liquors").....	83 to 91, 100
<b>DRUGGISTS,</b>	
license to carry on business of, section 1.....	83, 84
penalty for acting without license, section 3.....	84
may sell spirituous liquors, etc., without license, for what purposes, section 4,.....	84, 85
selling contrary to law; penalty, section 5.....	84
duties of circuit courts as to violations by, section 5.....	85
in prosecutions against, if sale be proved presumed unlawful, section 6.....	85, 86
what prescription required for sale of intoxicants by, section 6.....	85, 86
prescription, what to state, section 5.....	83
but one sale to be made by, on each prescription, section 6.....	85
effect against, of prescription in evidence, section 6.....	86
physicians giving false prescriptions to aid, penalty for, section 7.....	86
prescriptions to be filed and kept by, section 7.....	86
who may inspect, section 7.....	83
failure of, to produce prescriptions; penalty, section 7.....	86
certificate of character, etc., required of, section 14.....	83
what necessary before license to, is operative, section 15.....	89
provisions concerning illegal sale of intoxicating liquors by, sections 17 to 20.....	80, 90
revocation of license of, section 24.....	92
assignment of license of, section 27.....	93
tax on license of, section 67.....	100
<b>EAGLE,</b>	
appropriation to pay for restoring, to the flag of the 12th regiment.....	257
<b>EATING HOUSES,</b>	
license to keep section 1.....	83
not to apply to farmers furnishing meals, etc., section 1.....	84
tax on license to keep, section 53.....	99
<b>EDUCATION,</b>	
sections 78, 80 and 82, chapter 15, acts 1831, concerning the West Virginia University, amended.....	9-10-11
sections 86 and 97, of chapter 15, acts 1881, concerning normal schools, amended.....	181, 182
granting of state certificates to public school teachers, provided for.....	201, 202
section 30, of chapter 147, acts 1882, concerning public schools, amended....	203, 204
(See also title "Schools, Free.")	
<b>ELECTIONS,</b>	
provisions governing, for ratification or rejection of proposed amendments to the constitution.....	150 to 152, 179 to 182, 187 to 189
offenses relating to; act amended.....	183 to 185
illegal voting, section 5.....	183
procuring bad votes to be admitted or good votes to be rejected, section 5.....	188
deceiving voter as to ballot, section 5.....	183 to 184
altering ballots, section 5.....	184
ballots issued by political parties, section 5.....	184
punishment for violation of these provisions, section 5.....	184, 185
unlawful to request disclosure of contents of ballot within 60 feet of voting place, section 13.....	185
unlawful for person having inspected, etc., ballot to accompany voter within 60 feet of voting place, section 14.....	185

ELECTIONS—Continued.

or for any person acting in conjunction with such person to do so, section 14..... 185

unlawful for any person to call back voter, when within 60 feet of voting place, to inspect or change ballot, etc., section 14..... 185

violation of these provisions deemed a misdemeanor, section 14..... 185

no ballot to be given or received within 60 feet of voting place, except, etc., section 15..... 185

violation of provisions of act, how punished, section 16..... 185

BLK RIVER,

certain dams in, declared public nuisances, section 1..... 153

owners or occupiers of such dams may be indicted for maintaining same, section 1..... 158

what judgment to be rendered, section 1..... 153

such dams may be abated by suit in equity, section 2..... 158

civil action may be maintained against owners, etc., by parties injured, section 2..... 153

judgment in such case, section 2..... 153

no defence that dam was erected by authority of court or legislature, section 3..... 153

EMPLOYES,

certain persons, firms, corporations, etc., required to pay their employes at regular intervals, unless otherwise provided by special agreement, sections 1, 2..... 192

payment to be made in lawful money or cash order, section 2..... 192

right of assignment, section 2..... 192

character of cash order to be issued, section 3..... 192, 193

issuing an order of any other character; how punished, section 3..... 193

selling to employes merchandise and supplies at a greater profit than to other persons paying cash, unlawful, section 4..... 193

if sold at a greater profit, what to collect, section 4..... 193

violation a misdemeanor, how punished, section 3, 4..... 193

suit brought for failure to settle or redeem order, what judgment to be rendered, section 5..... 193

employe not to lose his lien by reason of acceptance of cash order, section 5..... 193, 194

ENGINEERS, COUNTY,

duties of, under the alternative road method, when required by the county court, sections 5, 21..... 171, 173, 174

ENUMERATION OF YOUTHS,

in Red Sulphur district, Monroe county, corrected, for what year..... 121

EQUITY,

suits in, may be instituted by auditor to enforce lien for taxes, section 1... 56

ERRONEOUS ASSESSMENTS,

appropriations for refunding taxes erroneously assessed, etc..... 256, 268

EXAMINATION,

of witnesses before justices on criminal complaint; number to be paid for on behalf of the state, limited, section 2..... 241

of witnesses for and against accused, when, section 12..... 241

EXECUTIVE OFFICES,

appropriations for contingent expenses of,..... 251, 255, 267, 268

appropriations to pay salaries of clerks in,..... 255, 268

appropriations for carpets and furniture..... 257, 268

EXEMPTIONS,

who and what business exempt from license tax, section 4..... 84, 85

EXHIBITIONS,	
no license for, in certain cases, section 4.....	84, 85
FACTORIES,	
certain minors not to be employed in.....	18
penalty for violation.....	18
FAULKNER, CHARLES J.,	
Joint resolution to notify, of his election to the Senate of the United States.....	274, 275
FAYETTE COUNTY,	
Fayetteville independent school district in, created.....	50 to 53
FAYETTEVILLE, INDEPENDENT SCHOOL DISTRICT OF,	
act creating.....	50 to 52
boundaries of, section 1.....	50
to be submitted to voters, section 2.....	50
election: when and how held; how conducted, section 2.....	50, 51
board of education, election of; their powers, duties, term of office, etc., section 2.....	51
general school law to govern, section 3.....	51
unexpended school moneys of Fayetteville district: how disposed of, section 4.....	51, 52
levies in, how laid, section 4.....	52
to be at least six months' school, section 4.....	52
levy limited, section 4.....	52
FEE BILLS,	
time of distraint and sale for, extended, section 1.....	117, 118
FEEES,	
limitation to collection of, section 31.....	37
clerk county court to receive what, when not specially provided for, section 31.....	37
of jailers, section 22.....	182, 183
how paid, section 24.....	183
appropriations to pay, of certain attorneys for services rendered state.....	258, 261, 262
FELONY,	
arrest and examination of person charged with, sections 2, 12.....	241
number of witnesses to be paid on behalf of the state: In examinations before justices of persons charged with, limited, section 2.....	241
when person indicted for, to be tried, section 1.....	243
deposition of witnesses for accused may be taken, when, section 1.....	243
affidavit to be filed by accused in such case; what to show, section 1.....	243, 244
notice to prosecuting attorney, section 1.....	244
cross-examination of witness on behalf of the state, section 1.....	244
expense of, how paid, section 1.....	244
when and to what extent deposition to be read, section 1.....	244
accused allowed counsel, copy of indictment, and list of jurors, section 1.....	244
Jury for trial of, how selected, etc., section 8.....	244
challenges of jurors by state or accused, section 1.....	244
persons tried jointly or separately, how jury selected, section 8.....	244, 245
FEMALES,	
not to be employed to work in coal mines, section 13.....	163
penalty for permitting, section 17.....	169, 170
FISHING,	
within the inclosed lands of another without permission; penalty, section 2.....	156
unlawful methods of catching or killing fish in certain waters, section 4.....	156, 156
catching, etc., certain fish at certain times prohibited, section 4.....	156

**FISHING—Continued.**

persons engaged in, not to trespass upon any inclosed field, etc., without permission, section 4..... 156

private dam or pond, section 4..... 156

millnaws, section 4. .... 156

knowingly buying or receiving certain fish unlawfully caught a misdemeanor; penalty, section 4 ..... 156

unlawfully letting water out of fish ponds, etc., a misdemeanor; how punished, section 4..... 166

owners of uninclosed ponds to put up sign-boards; what to contain, section 4..... 156, 157

penalty for injuring such boards, section 4 . .... 157

violation of preceding section how punished, section 5..... 157

Jurisdiction of justice, section 5..... 157

**FISH COMMISSIONERS,**

appropriations to pay expenses of..... 257, 269

**FLAGS,**

appropriation to purchase two flags..... 260

appropriation to pay for restoring eagle to flag of 12th regiment..... 257

**FOREIGN CORPORATIONS,**

may be proceeded against by attachment, section 1..... 119

not subject to attachment if debt not due, unless, etc., section 1..... 120

section 24 of chapter 17, act 1881, and section 30 of chapter 9 , acts 1882, relating to foreign corporations, amended..... 216 to 219

**FORFEITED LANDS,**

excess overtaxes, costs, etc., to be paid to owner; when..... 38

redemption of, in whole or in part, before sale; how effected..... 38, 39

where owner desires to redeem but a part, petition must be accompanied by plat and certificate..... 39

what order court to make in case of redemption; effect thereof..... 39

redemption not to disturb vested rights..... 39

**FORFEITURE,**

relief of certain corporations against, for failure to pay license tax ..... 51, 55

**FREE MASONS,**

how much land may hold, section 7..... 116

**FREE SCHOOLS,**

(see title "Schools, Free.")..... 5, 131, 201, 203

**FURNITURE AND CARPETS,**

Appropriations to pay for..... 257, 263

**GOODS OR MERCHANDISE,**

tax on, sold by auction or otherwise on which no assessment has been made for the purpose of taxation, section 1..... 191

duty of person offering for sale to obtain permit to sell or to have such goods assessed, sections 1, 2..... 191

penalty for refusal or neglect, section 3 ..... 191

**GAME,**

killing of deer at certain times prohibited, section 1. .... 154

hunting deer with dogs prohibited for five years, section 1..... 154

penalty, section 1..... 154, 155

possession of fresh venison, etc., gives rise to what presumption, section 1 ..... 155

unlawful to kill quail or Virginia partridge at certain times, section 11..... 157

or pheasants at certain times, section 11..... 157

or wild ducks at certain times, section 11..... 157

unlawful to net or trap quails or Virginia partridges at any time, section 11..... 157

killing of certain game with certain weapon prohibited, section 11..... 157

GILMER COUNTY.

act to create the independent school district of Troy in..... 219 to 222

GOVERNOR,

duty of, in ascertaining and declaring result of vote on the several amend-  
ments proposed to the constitution, section 5 ..... 151, 181, 180  
duty of, as to the publication of the several amendments proposed to the  
constitution, section 6 ..... 152, 181, 189  
to appoint inspectors of mines; when, section 2 ..... 162  
may remove such inspectors; for what, section 2 ..... 162  
to fill vacancy in office of inspector, section 2 ..... 162  
annual report to, by inspector, section 4 ..... 163  
to send copies of resolutions to our representatives in congress ..... 224  
authorized to supply the grand army posts of this state with arms ..... 227  
requested to appoint five commissioners from this state; for what ..... 229  
directed to enquire into the act for refunding the war tax to W. Va ..... 231  
authorized to contract for copies of second edition of code ..... 232, 233  
committee to wait upon, ..... 234  
appropriations to pay salary of, ..... 247, 248  
appropriations to pay salary of private secretary to, ..... 255, 218  
proclamation of, concerning the legislature in extra session ..... 236½

GRAFTON, TOWN OF,

charter of, amended ..... 121 to 131  
corporate limits of, section 1 ..... 122  
municipal authorities of, section 2 ..... 122  
incorporation of; corporate name, section 3 ..... 122  
corporate powers of, who to exercise, sections 3, 4 ..... 122  
officers of, section 5 ..... 122  
election of officers of, their term of office, section 6 ..... 122, 123  
who may vote, section 7 ..... 123  
vacancies; how filled, section 8 ..... 123  
elections; where held and how governed, section 9 ..... 123  
contests; how determined, section 10 ..... 123  
oath of officers, section 11 ..... 123  
council; how presided over, section 12 ..... 123  
quorum, section 13 ..... 123  
casting vote, section 14 ..... 124  
yeas and nays, section 14 ..... 124  
veto power of mayor, section 15 ..... 124  
powers of council, sections 16, 17 and 18 ..... 124, 125  
annual levy, section 19 ..... 125, 126  
assessor; how appointed, his duties, etc., section 20 ..... 126  
assessment of property, section 20 ..... 126  
licenses, sections 21, 22 and 23 ..... 126, 127  
taxes, levies, etc., how collected and disbursed, section 21 ..... 127  
sergeant; his powers, duties, compensation and liabilities, sections 21, 25 ..... 127, 128  
delinquent list for taxes, section 25 ..... 128  
eligibility of sergeant, section 25 ..... 128  
lien on real estate for taxes, section 26 ..... 128  
how lien enforced, section 26 ..... 128  
sale of real estate delinquent, section 26 ..... 128  
mayor; his powers, duties and compensation, sections 14, 15 and 27 ..... 124, 128, 129  
violation of ordinances, section 28 ..... 129  
marshal; his powers, duties and fees, section 29 ..... 129  
compensation of officers not to be increased, etc., section 30 ..... 129  
officers in default; how proceeded against, section 31 ..... 129, 130  
term of office, section 32 ..... 130  
wards, section 33 ..... 130  
enumeration and apportionment, section 33 ..... 130  
who may be member of council; how elected, section 24 ..... 130

<b>GRAFTON, TOWN OF—Continued.</b>	
pavement of sidewalks, etc., when owner fails or refuses, section 35.....	130
condemnation of real estate, section 36.....	130
exemption from road tax, section 37.....	130
inconsistent acts repealed, section 38.....	110, 131
<b>GRAND ARMY OF THE REPUBLIC,</b>	
all medals in the Adjutant-General's office, belonging to soldiers, authorized to be turned over to the commander of the department of West Virginia of the,.....	225
posts of, in this state to be furnished with arms, etc.....	227
<b>GUYANDOTTE RIVER,</b>	
certain dams in, declared public nuisances, section 1.....	153
proceedings against owners or occupiers of such dams, section 1, 2.....	153
our representatives in congress requested to ascertain why the appropriations made by congress for the improvement of, have not been expended	223
<b>HEALTH,</b>	
(see title "Public Health").....	112 to 199
<b>HAWKERS AND PEDDLERS,</b>	
(see title "Peddlers").....	84, 91, 102
<b>HOLROYD, JAMES F.,</b>	
authorized to convey certain land; when, how and for what purpose, section 1.....	58
<b>HOSPITAL FOR THE INSANE,</b>	
board of directors of, section 3.....	158
when term of office of present directors is to expire, section 3.....	158
appointment of new board, how and when, section 3.....	158
classification of and term of office of members of new board, section 3.....	158, 159
vacancies, how filled, section 3.....	159
how directors distributed as to counties, section 3.....	159
superintendent and assistants, section 7.....	159
how appointed, section 7.....	158
how removed, section 7.....	159
executive committee, section 7.....	159
nurses, etc., section 7.....	158
examining board; who to constitute; its duties, section 7.....	159
special committee to investigate the management of.....	226
appropriations for the support of, etc.....	253, 267
proviso as to compensation of directors of.....	253, 267
appropriations for building an addition to.....	254, 267
appropriation for the construction of a second, at Spencer.....	254
auditor authorized to pay expenses of committee to investigate.....	213
<b>HOTELS,</b>	
to be licensed, section 1.....	83
penalty for doing business without license, section 3.....	84
what deemed, section 8.....	86
what required of keepers of; failure to comply, how punished, section 8.....	86
when license to keep, may be revoked, section 8.....	86, 87
tax on license to keep; how determined, and rate of, sections 9, 53.....	87, 99
license to keep, how obtained, sections 10, 11, 12.....	87, 88
requirements of applicants to keep, section 14.....	88
revocation of license, section 24.....	92
to what place license to keep, confined, section 25.....	92, 93
transfer and assignment of license to keep, sections 28, 27.....	93
for what time license to keep, granted, section 29.....	94
<b>HUNTING,</b>	
of deer at certain times prohibited, section 1.....	154
of deer with dogs prohibited for five years, section 1.....	154

<b>HUNTING—Continued.</b>	
fine and imprisonment for violation, section 1.....	164, 166
Jurisdiction of Justice, section 1.....	165
penalty for, within the enclosed lands of another without consent, section 2.....	155
third conviction duty of Justice, section 2.....	156
killing of certain game at certain times prohibited, section 11.....	157
killing of game with certain weapons prohibited, section 11.....	157
<b>HYGIENE AND PHYSIOLOGY,</b>	
nature of alcoholic drinks and narcotics, and their effects upon the human system, in connection with, to be taught in the public schools, section 1.....	5, 6
duty of school officers and penalty for failure, section 2.....	6
what examination teachers must pass, section 3.....	6
<b>INCORPORATED COMPANIES,</b>	
assessment of, except railroads, etc., for taxes, act amended, section 64.....	82
(See also, titles "Corporations" and "Joint Stock Companies.")	
(See title, "Corporations, Certificates Issued by Secretary of State to.")	
(See title "Dissolution of Corporations.")	
<b>INDEPENDENT SCHOOL DISTRICT OF BEVERLY,</b>	
act to establish the, in Randolph county.....	209 to 212
<b>INDEPENDENT SCHOOL DISTRICT OF WEST GRAFTON,</b>	
creation and establishment of the, section 1.....	146, 147
boundary of, section 1.....	147
question submitted to voters; when and how, section 2.....	147
who entitled to vote, section 2.....	147
ballots; what to contain, section 2.....	147
election; how conducted, etc., result, how ascertained, section 2.....	147
board of education; election of, section 2.....	147
board a corporation; name of, section 2.....	147
powers and duties of board, section 2.....	147, 148
president of board; when and how elected, section 2.....	148
his term of office, section 2.....	148
commissioners; when and how elected, their term of office, section 2.....	148
president and commissioners to constitute board, section 2.....	148
members may be re-elected; section 2.....	148
vacancies, section 2.....	148
how members of board voted for, section 2.....	148
school law to govern except, etc., section 3.....	148
financial settlement; when and how made, section 1.....	148, 149
power of board as to levies, section 4.....	149
limit to levy, section 4.....	149
term of school, section 4.....	149
<b>INDEPENDENT SCHOOL DISTRICT OF PHILIPPI,</b>	
board of education of, empowered to issue bonds; for what and how.....	145, 146
<b>INDEPENDENT SCHOOL DISTRICT OF PRANTY TOWN,</b>	
sections 4 and 5, of chapter 133, acts of 1872, concerning, amended.....	213
<b>INDEPENDENT SCHOOL DISTRICT OF TROY,</b>	
act to create the, in Gilmer county.....	219 to 222
<b>INDICTMENTS,</b>	
for felony when to be tried, section 1.....	243
accused may take depositions of witnesses, when and how, section 1.....	243, 244
when and to what extent such depositions to be read, section 1.....	244
accused allowed counsel, copy of indictment and list of jurors, section 1.....	244
jury; how selected and how panel reduced to twelve, section 3.....	244
proviso as to indictments for felony before act takes effect, section 3.....	244



**INDICTMENTS—Continued.**

challenges allowed state or accused, section 4.....	244
persons indicted and tried jointly or separately—how jury panel in such cases reduced to twelve, section 8.....	244, 245

**INJURIES TO PERSONS,**

arising from illegal sale of intoxicating liquors, section 20.....	90
liability, damages, etc., for, section 20.....	99

**INSANE ASYLUM.**

sections 3, 7, chapter 6, acts of 1882, relating to the board of directors of, and officers of, amended.....	158, 159
special committee to investigate.....	228
appropriations for the support of, etc.....	253, 267
appropriations to build an addition to.....	254, 267
appropriation for the construction of a second, at Spencer.....	254

**INSANE PERSONS,**

(see title "Lunatics").....	160, 240
-----------------------------	----------

**INSPECTORS OF MINES.**

state divided into two mining districts, section 2.....	161
one inspector appointed for each district; how and when, section 2.....	162
term of office, section 1.....	162
necessary qualifications, section 2.....	162
not to be interested as operator, etc., section 2.....	162
removal; for what causes, section 2.....	162
vacancies, how filled, section 2.....	162
what oath to take, section 2.....	162
certificate of such oath, where filed, section 3.....	162
bond; penalty and condition of, section 3.....	162
salary; when and how paid, section 3.....	162
to file sworn account of expenses, section 3.....	162
duties of, as to the examination of mines, section 4.....	162, 163
annual report to governor, when; what to show, section 4.....	163
report to be filed with governor; when, section 4.....	163
suggestions by, as to necessary legislation; what map or plan and statement to be delivered to, by operator, section 5.....	163
how such map, etc., preserved, section 5.....	163
duty of, if operator fail to make such maps, etc., section 5.....	164
to be furnished proper facilities to examine, etc., mines, section 12.....	167
duty of, when mine is deemed defective or dangerous, section 12.....	167, 168
may apply for injunction to restrain the operation of such mine; when and to whom, section 12.....	168
costs in such cases, section 12.....	168
notice to, in case of certain accidents, section 15.....	168, 169
duty of, upon receiving such notice, section 15.....	169
power of, to investigate when certain accidents occur, section 15.....	169
rights of, if present at inquest, section 15.....	169
copy of testimony and verdict to be delivered to, section 15.....	169
annual report to be made to, by operators; what to contain, section 16.....	169
forms of such reports to be furnished by, section 16.....	169
to what mines act to apply, section 18.....	170
appropriations to pay salaries of.....	259, 260, 270
appropriations to pay travelling expenses of.....	260, 270

**INSURANCE,**

appropriation to pay. on public buildings.....	258
--	-----

**INSURANCE COMPANIES,**

insuring lives on the assessment plan, section 6, of act relating to, amended.....	176, 177
--	----------

INTEREST,	
appropriations to pay, on money borrowed.....	257, 261, 269
INTER-STATE COMMERCE BILL,	
Joint resolution approving the passage of.....	274
INTOXICATING LIQUORS,	
(See title "Liquors,").....	83 to 94, 100
amendment proposed to the Constitution, prohibiting the manufacture and sale of,.....	230, 231
act submitting the same to a vote of the people.....	179 to 182
ITINERANT PHYSICIANS,	
practicing or attempting to practice; what tax to pay, section 14.....	197
to take receipt and duplicate for such tax, section 14.....	197
what endorsement clerk of county court to make on one of such receipts, section 14.....	197
penalty for failure to pay tax or to take receipt, etc., section 14.....	197
who regarded as, section 14.....	197, 198
INVENTORY,	
of collateral inheritance property subject to taxation.....	112
JAILER*,	
fee of, for receiving person in jail, and discharging him therefrom, section 22.....	182
fee for keeping and supporting a person in jail, section 22.....	182
allowance to, for fuel, section 22.....	182
allowance to, for services as janitor, section 22.....	182
how fees to, paid, section 22.....	183
to furnish clothing to prisoners, when, section 3.....	190
allowance to, for the maintenance and care of lunatics, section 35.....	240
certificate required before such allowances paid; what to contain, section 35.....	240
what allowed for clothing, section 35.....	240
JAILS,	
physicians to be appointed to attend certain persons confined in, section 3.....	190
by whom appointed, section 3.....	190
manner of appointment, section 3.....	190
when clothing to be furnished to persons confined in, section 3.....	190
allowance to jailer for the maintenance and care of lunatics in, section 35.....	240
JANITOR,	
appropriations to pay salary of.....	248, 249
appropriations to pay extra compensation to, etc.....	254, 26
JEFFERSON COUNTY,	
commencement of terms of circuit court in.....	3
authorized to fund outstanding bonds.....	12
amount of bonds to be issued limited, section 1.....	12
rate of interest; when payable, section 1.....	12
form and denomination of bonds; when payable, section 1.....	12
bonds if so provided, to be exempt from taxation for certain purposes, section 2.....	12
coupons, for what receivable, section 2.....	12
court may exchange bonds issued under this act, for those issued under former act; since when and to what extent, section 2.....	12
expense of such exchange, etc., limited, section 3.....	12
bonded debt not to be increased, section 4.....	12
for what purpose, proceeds of sale of bonds to be applied, section 4.....	12-13
our representatives in congress requested to ascertain why the appropriations made by congress for the improvement of the Shenandoah river in the limits of, have not been expended.....	261

JOINT RESOLUTIONS,

instructing our senators and requesting our representatives in congress to inquire and ascertain why the appropriations made by congress for the improvement of the Shenandoah river, in the limits of Jefferson county, and for the Guyandotte river, have not been expended.....	223
providing for the adoption of joint rules for the government of the two houses of the legislature .....	223
instructing our senators and requesting our representatives in congress to use their influence to secure the passage by congress of the militia pension bill.....	224
concerning the manner of printing the journals and bills.....	224
authorizing the adjutant general to turn over to the commander of the department of West Virginia of the grand army of the republic all medals in his possession, belonging to soldiers.....	225
authorizing the auditor to draw warrants upon the treasury for the <i>per diem</i> and mileage of members of the legislature, and the <i>per diem</i> of the officers and attaches of the senate and house of delegates.....	225
raising a joint committee to investigate the management and examine into the condition of the penitentiary.....	226
requesting the senators and representatives from this state in congress to use their influence to secure an appropriation from congress to aid in the erection of a suitable monument to commemorate the battle of Point Pleasant, fought October 10th, 1774 .....	226
authorizing the governor of this state to supply the grand army posts of this state with arms.....	227
providing for lighting the entrances to the capitol building during the session of the legislature.....	227
raising a committee to investigate the management of the hospital for the insane.....	228
raising a special joint committee to consider the propriety and necessity of the publication of the laws of this state.....	228
relative to the centennial exposition of the Ohio Valley and central states.....	229
raising a joint committee of the senate and house of delegates to investigate the manner of letting and the conditions of the existing contract or contracts, pertaining to the furnishing of school books for the public schools of this state.....	229
authorizing the county court of Marlon county to put into immediate operation the alternative road method.....	230
proposing an amendment to the constitution of the state, prohibiting the manufacture and sale of intoxicating liquors.....	230
directing the governor to inquire into the act for refunding the war tax to West Virginia.....	231
providing for an examination of certain matters in the auditor's office....	231
proposing an amendment to the constitution of this state, section 13, article 3.....	232
providing for the publication of a second edition of the code of West Virginia.....	232, 233
proposing an amendment to the constitution of this state, (section 22 article 6,).....	233
providing for a joint committee to wait upon the governor.....	234
providing for the adoption of joint rules for the government of the two houses .....	273
authorizing the auditor to draw warrants upon the treasury for the <i>per diem</i> and mileage of members of the legislature, and the <i>per diem</i> of the officers and attaches of the senate and house of delegates.....	273
approving the passage by congress of the Inter-state commerce bill .....	274
authorizing and directing the president of the senate and speaker of the house of delegates to notify Charles J. Faulkner, of Berkeley county, of his election to the senate of the United States, by the legislature of West Virginia, in joint assembly, on Thursday, May 5, 1867 .....	274

JOINT RESOLUTIONS—Continued.

requesting the senators and representatives in congress, from this state, to take the proper steps to have the general government refund to this state the amount of money appropriated at this session to pay certain militia officers, and the heirs of such of said officers as are dead, for services rendered in the war of one thousand eight hundred and sixty-one and five.....	75
requesting the several prosecuting attorneys and judges of circuit courts, in this state, not to institute and maintain prosecution against persons for selling at retail tobacco, snuffs and cigars, without a state license therefor, on and after May first, one thousand eight hundred and eighty-seven.....	275, 276
providing for the adjournment of the present session of the legislature...	276

JOINT STOCK COMPANIES,

code as amended by sections 63 and 64, chapter 67, acts 1882, concerning, without special charters, repealed.....	36
sections 50 and 66, of chapter 17, of acts of 1881, concerning the general powers of, without special charters, and when and how charter of, may be perfected, amended.....	138 to 142
power of such corporations to cause surveys, etc., to be made for proposed railroads; subject to what, section 50.....	138, 139
power to take and hold voluntary grants of real estate, etc., and to sell and convey same, section 50.....	139
to purchase, hold and use real estate, etc.; and to sell and convey same, section 50.....	139
to lay out road; width, section 50.....	139
to cut down trees, when and subject to what, section 50.....	139
to change grade, location, etc., of road, section 50.....	139
how such change authorized, section 50.....	139
effect of such change as to abandoned location, section 50.....	139
power to construct road across, along stream, street, highway, etc., section 50.....	139, 140
but must restore same to former state, etc., and keep in repairs, section 50 not authorized to erect bridge across navigable stream, etc., section 50....	140
consent of city or town required in certain cases, section 50.....	140
proviso as to stations, section 50.....	140
proviso as to highways, canals, turnpikes, etc., section 50.....	140
proviso as to connection of two railroads in certain cases, section 50.....	140
power to cross or intersect, etc., other railroads, section 50.....	140
duty of corporations as to such intersection, section 50.....	140
In case of disagreement how determined, section 50....	140
power to receive and to convey persons and property, section 50.....	141
to erect buildings, fixtures, etc., for use of road, section 50.....	141
to regulate time and manner of transportation, section 50.....	141
to borrow money, issue bonds, etc., section 50.....	141
may mortgage property, etc., as security, section 50.....	141
consent of stockholders in such case required, section 50.....	141
bonds convertible into stock, how, section 50.....	141
limits to time for such conversion, section 50.....	141
may mortgage property, etc., to secure bonds or stock, section 50.....	141
work of construction when to begin, section 66.....	141, 142
amount to be expended within three years, section 66.....	142
when to be completed and put in operation, section 66.....	142
forfeiture of corporate powers, section 66.....	142
further time given to certain railroads to begin, etc., and complete their construction, section 66.....	142
railroads so complying not to forfeit charter, section 66.....	142
requisites to be complied with or corporate powers cease, section 66.....	142
capital stock of, incorporated without special charter, except railroads or canals; act relating to amended, section 5.....	141

## JOINT STOCK COMPANIES—Continued.

section 24, chapter 17, acts of 1882, relating to, amended.....	216, 217
must appoint agent to accept service of process, etc., when and how, section 24.....	217
such agent must return property of corporation to assessor, section 24.....	217
power of attorney appointing such agent, where filed and recorded, section 24.....	217
what deemed evidence of compliance, section 24.....	217
time within which corporations heretofore organized may comply, section 24.....	217
forfeiture for failure, section 24.....	217
when for such failure corporation deemed a non-resident; attachment of its property, section 24.....	217
when for such failure, corporation forfeits its charter, section 24.....	217
section 30, chapter 97, acts of 1882, relating to foreign corporations, amended	217, 218
what foreign corporations may hold property and do business in this state, section 30.....	217, 218
rights, powers and privileges of such corporations, section 30.....	218
what to file with secretary of state, section 30.....	218
certificate of secretary of state, where filed and recorded, section 30.....	218
copy of charter of such corporations, to be filed, where, section 30.....	218
railroad corporations; doing business in this state declared domestic corporations; to what extent, section 30.....	218
railroad corporations chartered elsewhere not to be lessee of works, etc., of any other corporation, or bring suit, in this state, until, etc., section 30.....	218
failure to comply with provisions of this section, by such railroad corporation, may be pleaded in abatement, section 30.....	218
non-compliance not to lessen liability upon contract or for wrong, section 30.....	218
penalty for failure to comply with provisions of this section, section 30.....	218
prosecutions against, where instituted, section 30.....	218
JOURNALS AND BILLS,	
manner of printing of,.....	224, 225
JUDGES,	
of circuit courts, authorized to employ short-hand reporters.....	52, 53
of circuit courts, may commit children to orphan asylum, for what causes—section 1.....	133
appropriations to pay salaries of,.....	248, 249
appropriations to pay mileage of,.....	248, 249
(see, also, titles "Circuit Courts" and "Supreme Court of Appeals").....	
JURIES,	
In cases of felony; from whom drawn, section 3.....	244
number to be drawn, section 3.....	244
when other jurors to be summoned, section 3.....	244
how panel reduced to twelve, section 3.....	244
proviso as to the number of jurors the accused may strike off in the trial of indictments for felony committed before this act takes effect, section 3.....	244
if accused fail to strike off, how panel reduced, section 3.....	244
challenges allowed the state or accused, section 4.....	244
all challenges to be tried by court, section 4.....	244
persons indicted and tried jointly; how panel reduced to twelve, section 8.....	244
if they can not agree upon the names to be stricken off, what then, section 8.....	244, 245
if tried separately, how panel made up, section 8.....	245

<b>JUSTICES OF THE PEACE,</b>	
Jurisdiction of, as to certain nuisances, sections 2 and 3.....	52, 60
proceedings before, how regulated, section 3.....	60
duty of, upon complaint that any person is selling spirituous liquors, etc., contrary to law, section 23.....	91, 92
power of, to inspect license, section 33.....	95
Jurisdiction of, as to violations of the game law, sections 1, 2, 5.....	135, 157
to be notified when loss of life occurs in coal mines; when and by whom, section 15.....	169
duty of, if inquest be held, section 15.....	169
service of process and notice on corporations; section 31, chapter 50, of the code, concerning, amended.....	186, 187
process may be issued by, for the arrest of person charged with an of- fense, section 2.....	241
number of witnesses to be paid on behalf of the state, limited, section 2.....	241
examination of the offender; when, section 12.....	241
<b>KEEPER OF THE ROLLS,</b>	
appropriations to pay salary of,.....	248, 249
<b>LABORERS AND OPERATIVES,</b>	
act to secure to, engaged in and about mines, manufactories of iron and steel, and all other manufactories, the payment of their wages at reg- ular intervals, and in lawful money.....	192 to 194
<b>LANDS,</b>	
list of sale and redemption of, when and to whom returned, section 14.....	9
duty of clerk county court as to such lists, section 14.....	9
forfeited and redeemed,.....	28, 30
former owner may be entitled to excess over taxes and costs.....	35
may be redeemed before sale in whole or in part.....	38, 30
lien upon, for taxes, how enforced, section 1.....	56
<b>LAWS AMENDED,</b>	
(see titles "Acts of the Legislature Amended," "Code, Amended.")	
<b>LAWS REPEALED,</b>	
(see titles "Acts of the Legislature Repealed," "Code, Repealed.")	
<b>LAWS, PUBLICATION OF,</b>	
special joint committee to consider the propriety and necessity of the, in one volume.....	228
publication of second edition of the code provided for, and the distribu- tion of same.....	252, 233
<b>LEGACIES,</b>	
tax imposed on, section 1.....	111, 112
(See title, "Collateral Inheritances").....	111, 115
<b>LEGISLATURE,</b>	
committee to be appointed by, to examine the penitentiary, when.....	59
proviso.....	59
Joint rules adopted for the government of,.....	224, 273
manner of printing the Journals and bills of,.....	221, 225
auditor authorized to pay the per diem and mileage of members, of etc., 225, 226, 273	
amendment proposed to the constitution extending the session of, sixty days.....	231
act submitting same to vote of the people.....	187 to 189
appropriations to pay members, officers, etc., of.....	246, 247
appropriations to pay contingent expenses of,.....	254
president of the senate and speaker of the house authorized to notify Charles J. Faulkner of his election to the senate of the United States.....	274, 275
Joint resolution for the adjournment of,.....	274

<b>LEVY,</b>	
for county roads, under the alternative road system, sections 16, 13.....	109, 110, 127
<b>LIBRARIAN,</b>	
appropriations to pay salary of,.....	248, 249
appropriations for contingent expenses of,.....	255, 266
to render detailed account to legislature of such fund,.....	256, 268
appropriation for shelving in state library .....	260
<b>LICENSES,</b>	
of attorneys-at-law; section 1, chapter 1.9, code, in relation to, amended.....	18-19
<b>LICENSES, STATE,</b>	
chapters 32 and 33, code, concerning, amended and consolidated, and chapters 107 and 108, acts 1877, concerning, repealed, .....	83 to 105
what business shall not be pursued without, sections 1 and 2.....	83, 84
penalty for acting without, section 3.....	84
in what cases license not required, section 4.....	84, 85
hotel or tavern, section 5.....	86, 87
how state licenses obtained, sections 10, 11 and 12.....	87, 88
not to affect rights of towns and villages in certain cases, section 13.....	88
certificate of character, etc., required in certain cases, section 14.....	88
license to druggist, not to authorize what, section 15.....	89
license to sell intoxicating liquors, not to authorize what, section 16.....	89
bond required in certain cases, section 22.....	91
revocation of, section 24.....	92
place to which confined, section 25.....	92, 93
transfer of, section 26.....	93
assignment of, section 27.....	93
fees for, and for alterations and assignments, section 28.....	93, 94
time for which granted, sections 29, 30 and 31.....	94
appeals from assessor, section 32.....	94, 95
production of, when demanded, section 33.....	95
penalty for refusal to produce, section 33.....	95
assessors' lists of, sections 34 to 38.....	95, 96
penalty for doing business without paying taxes on, section 34.....	95
auditor to instruct assessors; how, section 39.....	95
penalty on assessors for neglect of duty, section 40.....	96
collection of tax on, section 41.....	96
power of distraint for tax on, section 41.....	96
delinquents, section 42.....	96, 97
payment of license taxes into treasury, section 43.....	96, 97
how payments enforced against collector, section 44 to 46.....	97, 98
commissions for collecting tax on, section 47.....	98
duty of prosecuting attorney, section 48.....	98
provisions of chapter remedial, section 49.....	98
general provisions as to tax on.....	98 to 105
<b>LICENSE TAX,</b>	
certain corporations relieved from forfeiture for failure to pay: conditions .....	54, 55
(see, also, title "Licenses, State.")	
<b>LIENS,</b>	
on real estate for taxes; how and when, and by whom enforced, section 1.....	56
<b>LIFE INSURANCE COMPANIES,</b>	
insuring lives on the assessment plan; section 6 of act relating to, amended .....	178, 177
<b>LIGHTNING RODS,</b>	
license to sell, section 1.....	81
penalty for selling without license, section 3.....	84
tax on license to sell, section 7.....	102

LIQUORS,

not to be sold without license, section 1 .....	83
soliciting, receiving orders for or keeping for another, also requires license, section 1.....	83
what deemed spirituous, section 1.....	83
penalty for selling without license, section 3.....	84
in what cases druggists may sell without license, sections 4 and 5.....	85
penalty on druggists for selling for any other purpose, section 5.....	85
sale by persons other than druggists, without license, along boundary rivers; penalty for, section 5.....	85
(see title "Druggists,").....	87, 88
license for sale of; how obtained, sections 10, 11.....	87, 88
proviso as to license for sale of, section 10 .....	87
certificate of character of seller, section 14.....	88
selling or giving to certain persons; penalty for, section 16 .....	89
selling or giving on Sunday; penalty for, section 16.....	89
sale of by one person for another, both may be indicted, section 17.....	89
houses, etc., where sold contrary to law; how treated, section 18.....	89
equity jurisdiction over, section 18.....	89
owners, etc., of such houses, etc., how punished, section 19.....	89
houses, etc., when legally sold, how regarded, section 19.....	90
liability for damages to persons or property by sale of; who liable and to whom, section 20 .....	90
existing leases not affected, section 20.....	90
damages so recovered; how governed, section 20.....	90
forfeiture of lease; when, section 20.....	90
suits for damages, how brought, section 20.....	90
landlord may sue on bond, when; what recovery, section 20 .....	90
exception as to property of married women infants, etc., section 20.....	90
clandestine selling of, power of officers in such case, section 21 .....	90, 91
bond required of seller of, section 22.....	91
penalty and conditions of bond, section 22.....	91
applicant and surety, for what liable, section 22 .....	91
duties and powers of justices upon information of illegal selling of, section 23.....	91, 92
justices warrant, examination, commitment, etc., section 23.....	92
bond may be required of accused; penalty for failure to give, section 23.....	92
revocation of license to sell, section 24.....	92
to what place license to sell, confined, etc., section 25 .....	92, 93
sale elsewhere, unlawful, section 25.....	93
transfer of license to sell, effect of, section 26.....	93
assignment of license to sell, section 27.....	93
assignee of license to sell to give bond, etc., section 27.....	93
fees of officers for license to sell, and for alteration and assignment of same, section 28.....	93, 94
for what time license to sell, granted, sections 29 and 30 .....	94
tax on license to sell, at public theatre, section 60.....	100
tax on license to sell, at retail, section 61.....	100
tax on license to sell, at wholesale, section 62.....	100
what deemed a sale without license, sections 63 and 64.....	100
(see "Errata").....	

LISTING AND POSTING OF DEEDS,

act requiring the, repealed .....	200
-----------------------------------	-----

LISTS,

of sale of lands for taxes, sections 13 and 14, of chapter 10, act of 1882, amended.....	89
form of affidavit to be appended to lists, section 13.....	89
when to be returned to clerk, section 14.....	9
duty of clerk in relation to, section 14 .....	9



## LISTS—Continued.

penalty on sheriff or other officer for failure to make out and return, section 14.....	9
of licenses, to be made out by assessors; when; to whom delivered, sections 35 to 37.....	95, 96
of licenses, what to be noted on and how verified, section 37.....	96
of licenses, effect of as evidences, section 38.....	96
<b>LITERARY SOCIETIES,</b>	
disturbance of, deemed a misdemeanor; penalty, section 19 .....	20
<b>LUNATICS,</b>	
certain claims allowed and certified for keeping, authorized to be paid... ..	160
physicians to be appointed to attend all persons confined in jail as, section 3.....	190
allowance to jailers for the maintenance and care of, in jail, section 35.....	240
what certificate required, section 35 .....	240
allowance for clothing, section 35.....	240
appropriations to pay for support of, in jails.....	251, 264
<b>M. E. CHURCH, SOUTH,</b>	
certain land in Mercer county authorized to be exchanged and conveyed to trustees of, section 1.....	58
<b>MANDAMUS,</b>	
sheriff or other officer may be compelled by, to make out and return lists of sale and redemption of lands, section 14.....	9
<b>MANUFACTORIES,</b>	
certain minors not to be employed in,.....	18
penalty for violation.....	18
operatives and laborers engaged in and about, to be paid their wages at regular intervals, and in lawful money, sections 1, 2 .....	192
character of order that may be issued for the payment of labor, section 3.....	192, 193
merchandise and supplies sold to employes, section 4.....	193
suit for failure to settle with employes or redeem orders, section 5.....	193
lien of employes, section 5 .....	193, 194
<b>MARRIAGES,</b>	
state board of health to have supervision of the state system of registration of, section 23.....	198
ministers to report all marriages celebrated by them, under penalty, section 27.....	199
register of, to be made by clerk of court, section 28.....	199
report of, to be made by such clerk; when, section 28 .....	199
forms for record of, to be prepared by state board of health, section 29 .....	199
<b>MARYLAND, STATE OF,</b>	
act to confirm and establish part of the boundary line between, and this state .....	237
<b>MASON COUNTY,</b>	
act creating the independent school district of Point Pleasant in,.....	155, 187
<b>MEDALS,</b>	
belonging to soldiers, remaining in the adjutant general's office, authorized to be turned over; to whom.....	225
<b>MERCER COUNTY,</b>	
act providing for exchange of land in, between state and trustees of M. E. church, south .....	57, 58
<b>MILITAGE,</b>	
appropriations to pay, of members of the legislature.....	246, 247
appropriations to pay, of judges of supreme and circuit courts.....	248, 249

INDEX.

xliii

<b>MILEAGE—Continued.</b>	
to pay, of special committee to investigate the penitentiary.....	258
also, of clerk of such committee and witnesses.....	258
<b>MILITIA,</b>	
appropriations to pay certain assessors for enrolling.....	260, 261
appropriations to pay certain militia officers for services rendered during late war.....	262
Joint resolution requesting the general government to refund to the state money appropriated and paid certain militia officers for services rendered during the late war.....	275
<b>MILITIA PENSION BILL.</b>	
Joint resolution requesting the passage by congress of.....	224
<b>MINERS,</b>	
act providing for the proper protection of, while working in or about coal mines.....	161 to 170
not to be interfered with by force, threats, menace or intimidation of any kind, section 14.....	168
penalty for so interfering, section 17.....	160, 170
Payment of wages to.....	192 to 184
<b>MINES, COAL,</b>	
certain minors, not to be employed in.....	18
penalty for violation.....	18
working, ventilation and drainage of, regulated.....	161 to 170
Inspection of, provided for.....	161 to 170
payment of wages to employes in and about, at regular intervals and in lawful money, required.....	192 to 184
<b>MINING DISTRICTS,</b>	
state divided into two, section 1.....	161
one inspector of mines to be appointed for each district, section 2.....	162
<b>MINE INSPECTORS,</b>	
appointment of, provided for: their duties, etc.....	161 to 170
(see title "Inspectors of Mines".....)	
<b>MINISTERS OF THE GOSPEL,</b>	
required to report all marriages celebrated by them, section 27.....	169
<b>MINORS,</b>	
under 12 years of age, who can not read and write, not to be employed in mines, etc.....	18
penalty for employing such, section 2.....	18
boys under 12 years of age not permitted to work in coal mines, section 13.....	168
penalty for employing such, section 17.....	169 170
<b>MISDEMEANORS,</b>	
employment of certain minors in mines, factories, etc., section 2.....	18
disturbing Sunday schools and other schools, literary societies, etc., section 19.....	20
unauthorized investment of savings banks funds by trustee, etc., section 81.....	47
giving or selling intoxicating liquors to certain persons, section 16.....	89
killing deer at certain times, section 1.....	164
hunting deer with dogs, section 1.....	154
penalty, section 1.....	154, 155
knowingly buying or receiving certain fish unlawfully caught, section 4.....	156
wrongfully and wilfully letting water out of fish ponds, section 4.....	156
how punished, section 4.....	156
certain offenses relating to elections, deemed, sections 5 and 14.....	184, 185

<b>MISDEMEANORS—Continued.</b>	
punishment, sections 5 and 16 .....	184, 185
violations of provisions of act requiring the wages of certain employes to be paid at regular intervals, etc., deemed, sections 3 and 4.....	198
how punished, sections 3 and 4.....	198
refusing to obey the rules and regulations of state board of health, sections 5 and 6.....	195, 196
<b>MOOREFIELD,</b>	
act incorporating Olivet Cemetery Company at, amended.....	7, 8
<b>MONONGALIA COUNTY,</b>	
interest of state in Morgantown Bridge Company in, transferred to.....	81
conditions of transfer.....	81
<b>MONROE COUNTY,</b>	
error in the enumeration of youth in Red Sulphur district in, corrected...	121
<b>MORGAN COUNTY,</b>	
commencement of terms of circuit court in,.....	3
<b>MORGANTOWN BRIDGE COMPANY,</b>	
interest of state in, transferred to county of Monongalia .....	81
conditions of transfer.....	81
paid.....	160
<b>MUSICAL INSTRUMENTS,</b>	
license to sell, section 2.....	84
penalty for selling without license, section 3.....	84
tax on license to sell, section 79 .....	102
<b>MUTUAL INSURANCE CORPORATIONS,</b>	
section 6, of act relating to, amended.....	176, 177
auditor to issue certificate to, to transact business; when, section 6.....	177
for what period, section 6.....	177
not to be issued to corporations insuring persons over sixty-five years old, section 6.....	177
nor to be issued or remain in force unless such corporation shown to be duly incorporated, etc., section 6.....	177
<b>NAVIGATION COMPANIES,</b>	
assessment of, for taxes.....	82
<b>NON-RESIDENTS,</b>	
may be proceeded against by attachment, section 1.....	119, 120
not subject to attachment for debt not due, except, etc., section 1.....	120
<b>NORMAL SCHOOL, STATE,</b>	
sections 96 and 97, of chapter 15, acts of 1881, in relation to, and its several branches, amended .....	131, 132
non-paying normal pupils; what report board of regents to make to audi- tor concerning, and when, section 97.....	131
duty of auditor on receipt of such report, section 96.....	131
rate per month for non-paying normal pupils, section 96.....	131
aggregate amount to each school for non-paying normal pupils limited, section 96.....	131
provision as to colored normal pupils, section 96.....	131, 132
appropriation to pay tuition of non-paying normal pupils, sections 96, 97.....	132
amount unearned by any school; how residue to be applied, section 97.....	132
appropriations for support of, and its branches.....	251, 264
appropriations to pay expenses of regents.....	251, 266
proviso as to the compensation of regents.....	251, 266
appropriations for repairs, furniture, etc., for, and its branches.....	252, 265
appropriations to pay certain teachers of, and its branches for certain years.....	252, 265, 266

NOTICES,	
how served on corporations, section 34.....	187
NOXIOUS MATTERS,	
prohibited from being deposited in certain waters, and upon streets, public grounds, etc.....	50, 60
penalty, etc.....	60
NUISANCES,	
deposit of carcasses and other noxious matter, in certain waters, highways, etc., deemed, section 1.....	59, 60
abatement of; how, sections 2 and 3.....	59, 60
jurisdiction of justices, section 3.....	60
proceedings and penalty, section 3.....	60
houses where intoxicating liquors are unlawfully sold, deemed, section 18	80
unlawful sales of intoxicating liquors, render who liable to indictment for, section 19.....	80
certain dams in Elk and Guyandotte rivers declared public, section 1.....	153
how such nuisances may be abated, etc., sections 1, 2.....	153
ODD FELLOWS,	
how much land may hold, section 7.....	116
ODD FELLOWS' HALL ASSOCIATION OF THE CITY OF WHEELING,	
section 9, act of 1858, general assembly of Virginia, in relation to, amended limit to stock acquired or held.....	4, 5
quorum.....	5
presence and vote of stockholders may be in person or by proxy.....	5
what necessary to make proxies legal.....	5
notice of general meetings.....	5
scale of votes.....	5
how given.....	5
action of trustees increasing par value of stock legalized and made valid, section 2.....	5
par value of stock to remain until changed; how, section 2.....	5
conflicting acts repealed, section 3.....	5
OFFENSES,	
disturbance of schools, literary societies, etc.; penalty for, section 19.....	20
deposits of carcasses, etc., upon roads, streets, etc., and in certain waters, deemed, penalty for.....	59, 60
relating to elections; chapter 5, of act relating to, amended, and certain sections added thereto.....	183 to 185
OFFICERS, COUNTY,	
limitation to collection of fees of, section 31.....	37
OLIVET CEMETERY COMPANY,	
incorporation of, section 1.....	7
corporate powers of, section 1.....	7
may hold real estate for certain purposes, section 2.....	7
powers of, over cemetery grounds and buildings, section 2.....	7
what police regulations in force over grounds, section 7.....	8
OPERATIVES AND LABORERS,	
act to secure to, engaged in and about mines, manufactories of iron and steel and all other manufactories, the payment of their wages at regular intervals, and in lawful money.....	192 to 194
ORPHANS AND DESTITUTE CHILDREN,	
act in relation to, amended.....	132 to 134
directors and trustees of orphan asylums to take charge of, when, section 1.....	138
abstract of evidence to accompany commitment of, when made by a judge	

ORPHANS AND DESTITUTE CHILDREN—Continued.

or clerk of county court, section 1.....	133
guardianship over, by directors or trustees, section 2.....	133
discretion of directors or trustees to place, in suitable homes, section 2.....	133, 134
bond to be taken from person receiving, section 3.....	134
services of, not to be transferred; except etc., section 4.....	134
persons taking charge of, may be released from contract; when and how, section 4.....	184
power of directors to remove, from a home, section 5.....	134
directors may return children to parents or discharge them; when, section 5.....	134

OVERPAID TAXES,

appropriations for refunding.....	256, 208
-----------------------------------	----------

PARKERSBURG, CITY OF,

several acts incorporating, amended, re-enacted and reduced into one, and corporate limits extended.....	61 to 80
incorporation of, corporate name and powers, section 1.....	61
corporate limits and boundaries, section 2.....	61, 62
wards and boundaries of, section 3.....	62, 63
who may vote, section 4.....	63
mayor, when elected; term of office, section 5.....	63
councilmen; when elected; their term of office, section 6.....	63
mode of voting, etc., section 7.....	63, 64
election precincts, etc., section 8.....	64
who eligible as mayor or councilman, section 9.....	64
qualification and election of mayor and councilmen, section 10.....	64
oath of mayor; when office deemed vacant, section 10.....	64
who deemed elected; tie vote; failure to hold election, section 11.....	64, 65
vacancies, how filled; removals for what and how made, section 12.....	65
meetings of council, section 13.....	65
journal of proceedings, section 14.....	65
corporate powers, in whom vested, section 15.....	65
real and personal estate, funds, etc., of city, under whose care, section 15.....	66
appointment and removal of officers, sections 15 and 18.....	66, 67
appropriation of money, section 16.....	66
passage and enforcement of ordinances, sections 16 and 17.....	66
power to inflict fines and punishment; limitation of, section 17.....	66, 67
appeals, section 17.....	67
jurisdiction of city for police and criminal purposes, section 17.....	67
bonds, obligations, etc., how made payable and proceedings thereon, section 19.....	67
power of council to levy and collect taxes, section 20.....	68
assessors; their appointment, powers and liabilities, section 21.....	68, 69
interest on taxes, section 22.....	69
power of distress, sections 22 and 23.....	69
sale of distrained property, sections 22 and 23.....	69
lien on real estate for taxes; how enforced, section 24.....	70
power over roads sections 25 and 26.....	70
power over streets, alleys, etc., sections 26 and 27.....	70, 71, 72
condemnation of land, sections 27, 29 and 43.....	71, 72
market houses, city hall, public libraries, etc., sections 28 and 40.....	72, 76
county jail; duty of sheriff, section 28.....	72
dead, burial of, section 28.....	72
sidewalks, etc., section 30.....	72, 73
paving streets, etc., section 31.....	73, 74
taxes, levy and collection of, for paving, sections 32 and 33.....	74
duty of council before levying taxes, section 34.....	74
use of funds for other purposes prohibited, section 21.....	75
officers of city not to be interested in contract with; fine and penalty section 35.....	75

<b>PARKERSBURG, CITY OF—Continued.</b>	
power of council to prevent accidents by fire, etc., section 36.....	75
thieves, burglars, gamblers, vagrants, etc., section 37.....	75
to organize police department, define powers of, etc., section 37.....	75
preservation of health of citizens, sections 38 and 39.....	76
landings, wharves, etc., section 41.....	76, 77
• firing guns, fast riding, etc., section 42.....	77
private property not to be taken without compensation, section 43.....	77
weighing and measurement of certain articles, section 44.....	77
granting, etc., of licenses, section 44.....	77, 78
license issued by whom; when delivered, section 45.....	78
taxes and fines enure to benefit of city, section 46.....	78
moneys received, when paid and how drawn, section 46.....	78
receipts and expenditures, statement of to be printed, how, section 46.....	78
duly certified copies of acts, ordinances, etc., <i>prima facie</i> evidence, section 47.....	78
recorder; when and how elected; his powers and duties, section 48.....	78, 79
mayor to preside at meetings of council; his powers and duties, section 49.....	79
vacancies in offices of mayor and recorder, how filled, section 49.....	79
mayor to vote only in case of tie, section 49.....	79
who to preside in absence of mayor, section 50.....	79
veto power of mayor, section 51.....	79
collector; when and how appointed, and compensation; vacancy in office of, section 52.....	79, 80
deputy collector, second 52.....	79, 80
present mayor, recorder and councilmen, section 53.....	80
oath of officers, section 54.....	80
former acts repealed except, etc., section 55.....	80
present council to provide for putting act in force, section 56.....	80
Section 16, of act relating to school district of, amended.....	143, 144
<b>PATENT MEDICINES,</b>	
vendors of, to pay special tax, section 14.....	197
penalty for failing to pay, etc., section 14.....	197
<b>PATENT RIGHTS,</b>	
license to sell, section 2.....	84
penalty for selling without license, section 3.....	84
for what time license may be granted, section 30.....	94
tax on license to sell, section 77.....	102
<b>PAWN-BROKERS,</b>	
license to act as, section 2.....	84
penalty for acting without license, section 3.....	84
tax on license to act as, section 78.....	102
<b>PEACH AND APPLE BRANDY,</b>	
license tax for distilling, and restrictions as to sales, etc., section 65.....	100
<b>PEDDLERS,</b>	
license to act as, section 2.....	84
penalty for acting without license, section 3.....	84
licenses taken for what time, section 30.....	94
tax on license to act as, section 78.....	102
proviso as to hucksters, section 78.....	102
<b>PENITENTIARY,</b>	
biennial examination of; code in relation to, amended, section 21.....	59
section 10, of chapter 35, acts 1837, concerning contracts for convict labor, amended.....	156
joint committee to investigate.....	226
appropriations for.....	250, 251, 283, 584

<b>PENITENTIARY—Continued.</b>	
appropriations to pay expenses of committee to investigate, .....	258
proviso as to compensation of directors of, .....	251
<b>PENNSYLVANIA, STATE OF,</b>	
the acceptance and confirmation of the reports of the joint boundary commission of the boundary lines between this state and, provided for.....	238, 239
<b>PERSONAL PROPERTY,</b>	
tax on, section 1.....	98
sale of, under deed of trust; act relating to, amended, section 6.....	178, 179
<b>PERSONAL REPRESENTATIVES,</b>	
duty of, as to tax on collateral inheritances, etc., sections 2, 3, 4, 8, 11, 12, 13, 14, 15.....	111 to 114
<b>PHYSICIANS,</b>	
prescriptions by, to druggists for intoxicants; what to state, etc., section 6	85, 86
penalty for giving false prescriptions, section 7.....	86
county court may appoint, to attend certain persons confined in jail, sec- tion 3 .....	100
such physicians to furnish all medicines and give proper attention for a stipulated allowance, section 3.....	190
manner of appointment, section 3.....	190
bond and security, section 3 .....	190
power of court to vacate appointment, section 3 .....	190
allowance to, how paid, section 3.....	190
reports by, to local boards of health, section 6.....	196
holding certificate from state board, where to have same recorded, section 10.....	197
board may refuse certificates to, and revoke certificates of, for what causes and how, section 10.....	197
duty of, to register their names and post-office address; where, section 24.	198
required, under penalty, to report all births and deaths coming under their supervision with certificate of cause of death, section 24.....	198
fee for such report, section 24.....	198
provisions relating to itinerant physicians, section 14.....	197
<b>PHYSIOLOGY AND HYGIENE,</b>	
made branches of study in public schools.....	5, 6
teachers to pass satisfactory examinations in, section 3.....	6
penalty on school officer or teacher for failure or neglect to have taught or teach, section 2.....	6
<b>POCAHONTAS COUNTY,</b>	
appropriation to refund money to improperly paid.....	262, 268
<b>POINT PLEASANT, BATTLE OF,</b>	
joint resolution concerning monument to commemorate, .....	226, 227
<b>POINT PLEASANT, INDEPENDENT SCHOOL DISTRICT OF,</b>	
established; boundaries, section 1.....	135
question submitted to voters; when, section 2 .....	136
ballots, section 2 .....	136
election, section 2 .....	136
board of education; election of, name and corporate powers of, section 2..	136
their term of office, section 2.....	136
when new board elected, section 2.....	136
re-election of members of board not prohibited, section 2 .....	136
vacancies in board, how filled, section 2.....	136
duties of board, sections 4, 5, 6 and 7.....	136, 137
general school law to govern district, except, etc., section 3.....	136

<b>POINT PLEASANT, INDEPENDENT SCHOOL DISTRICT OF—Continued.</b>	
financial settlement, section 4.....	136, 137
secretary; appointment of; his duties and salary, section 5.....	137
annual levy, section 6.....	137
how levy collected; commission, section 6.....	137
teachers; when and how appointed, section 7.....	137
their salaries, section 7.....	137
removal of teachers, section 7.....	137
(see "Errata").....	
<b>POOL TABLES,</b>	
license to keep, section 1.....	83, 84
penalty for keeping without license, section 3.....	84
tax on license to keep, section 69.....	101
<b>PORTER, ALE, ETC.,</b>	
license required to sell, section 1.....	83, 84
penalty for selling, without license, section 3.....	84
tax on license to sell, section 61.....	100
when license not required to sell, section 4.....	84, 85
<b>POSTING OF DEEDS,</b>	
act requiring, repealed.....	200
<b>PRESERVATION OF CERTAIN USEFUL ANIMALS AND BIRDS,</b>	
certain sections of act in relation to, amended.....	154 to 157
<b>PRESTON COUNTY,</b>	
county court of, reformed, altered and modified.....	16-17
to be submitted to a vote of the people; when, section 5.....	17
majority vote necessary to adopt, section 7.....	17
<b>PRINTING, PUBLIC,</b>	
manner of printing the journals and bills of the legislature.....	224, 225
appropriations for, and binding.....	256, 259
appropriations for printing paper, etc.....	256, 259
<b>PROCESS,</b>	
service of, on corporations in justices' courts; act relating to, amended....	186, 187
<b>PROCLAMATION,</b>	
of the governor convening the legislature in extra session.....	236½, 237¼
<b>PROSECUTING ATTORNEYS,</b>	
power of to inspect license, section 33.....	95
his duties under license law, sections 48 and 49.....	108
penalty for failure to perform duties, section 93.....	105
duty of, when clerks county court fail to pay over collateral inheritance tax, section 19.....	115
to prosecute cases arising under public health act, section 22.....	168
to be ex-officio members of the local county boards of health, section 22....	168
annual allowance to, by county courts; act amended, section 49.....	215
duty of, as to certain actions, suits, etc., section 49.....	215
certain sections of act relating to the trial of persons indicted for felony, amended.....	243 to 245
joint resolution requesting, not to institute nor maintain prosecutions against persons for selling at retail tobacco, etc., without a state license.....	275, 276
<b>PUBLIC HEALTH,</b>	
duties of state board of, section 5.....	104, 105
powers as to quarantine, section 5.....	105
inspection of persons, baggage, etc., section 5.....	105
public carriers to obey rules and regulations of board when made and published, section 5.....	105



## PUBLIC HEALTH—Continued.

penalty for failure to obey such rules, etc., section 5.....	195
quarantine to extend to introduction of stock, section 5 .....	195
local board to inspect cattle, etc., about to be slaughtered; when, section 5	195
local county boards; how appointed and of whom constituted, section 6.....	195, 196
term of office; how removed, section 6.....	196
physician of local boards to be health officer, etc., section 6 .....	196
his salary, section 6.....	196
other members of local boards to be paid their expenses, section 6.....	196
vacancies in such boards, how filled, section 6.....	196
duties of local boards, section 6.....	196
privileges of members, section 6.....	197
penalty for failing to comply with order of local boards, section 6.....	196
local boards to enforce rules, etc., of state board, section 6 .....	196
reports of physicians to local boards, section 6.....	196
reports of local boards to state board, section 6 .....	196
city, town and village boards, section 6.....	196, 197
certificates to practice medicine; where and how recorded, section 10.....	197
state board may refuse or revoke such certificate; for what and how, section 10.....	197
itinerant physicians to pay special tax, section 14.....	197
itinerant vendors of drugs, ointments, etc., to pay special tax, section 14..	197
duplicate receipts for such tax; one to be endorsed, by whom, section 14 ..	197
penalty on such physician or such vendor for failure, etc., section 14.....	197
who regarded as itinerant physicians, section 14 .....	197, 198
free vaccination to be provided for the poor, section 21 .....	198
duties of prosecuting attorneys as to cases arising under this law, section 22.....	198
who to be <i>ex-officio</i> members of local county boards, section 22.....	198
registration of marriages, births and deaths, sections 23, 24, 25, 26, 27, 28 and 29.....	198, 199
duty of state board as to such registration, sections 23 and 29.....	199, 199
registrar of vital statistics, who to be; his report and salary, section 23.....	199
physicians and accoucheurs to register their names and post office address; where, section 24 .....	198
to report births and deaths, within what time, section 24.....	198
also cause of death, section 24.....	198
fee for such report, section 24.....	198
penalty for failure to make report, section 24.....	208
when no physician, etc., is present, who to make such report, section 25.....	198, 199
penalty for failure, section 25.....	199
coroners and undertakers to report deaths, etc., section 26 .....	199
penalty for failure, section 26.....	199
ministers to report marriages, under penalty, section 27.....	199
clerks of county courts to keep what registers, section 28.....	199
to be open to inspection, section 28.....	199
report to be made by such clerks to registrar of vital statistics; when, sec- tion 28.....	199
fee for such report, section 28.....	199
penalty for failure, section 28 .....	199
what forms state board of health to prepare, section 29.....	199
duty of secretary of board as to such forms, section 29.....	199
duty of clerks of county courts as to such forms, section 29.....	199

## RAILROADS,

sections 63 and 64, chapter 97, acts 1882, concerning drunkenness of engin- eer, conductor, etc.; injuries, etc., to corporate property, repealed.....	36
certain railroads relieved from forfeiture.....	54, 55
to what railroad corporations provisions of act not to apply .....	55
general powers of, incorporated without special charter; act relating to, amended, section 59.....	137, 141

**RAILROADS—Continued.**

charter of, incorporated without special charter, when and how perfected ;	
act relating to amended, section 60 .....	141, 142
when railroad corporations, organized under general law, to begin work	
of construction, section 66 .....	141
amount to be expended, section 60.....	142
when to be completed and put in operation, section 60.....	142
forfeiture for failure, section 60.....	142
further time given certain railroads to begin construction, section 66.....	142
certain expenditure to be made by such railroads; within what time, sec-	
tion 66 .....	142
when such railroads to be completed and put in operation, section 66 ....	142
railroads so complying, charter not forfeited, section 60 .....	142
requisites to be complied with or corporate powers cease, section 60.....	142
service of process and notice on, in justice's courts; section 24 of chapter	
5 <sup>th</sup> , of the code, relating to, amended.....	186, 187
section 24, chapter 17, acts of 1881, concerning corporations, amended .....	217
appointment of persons to accept service of process, etc., section 24.....	217
where power of attorney appointing such agent, to be filed and recorded,	
section 24.....	217
penalty for failure, section 21.....	217
section 30, chapter 97, acts 1882, concerning foreign corporations, amended .....	217, 218
rights, powers, duties and privileges of such corporations, section 30.....	217, 218
certain railroad corporations declared, in certain respects, to be domestic	
corporations, section 20.....	218
on what conditions railroad corporations of other states may do business	
in this state, section 30.....	218
penalty for failure to comply with such conditions, section 30.....	218
where prosecutions to be, section 30 .....	218
fee of secretary of state under this section, section 30.....	218, 219

**RAILROAD COMPANIES,**

time extended within which certain, may commence construction, etc....	13-14
to begin construction, within what time, section 1.....	13
ten per cent. of capital to be expended within what time, section 1.....	13
road to be completed within what time, section 1.....	13-14
non-compliance creates forfeiture, section 1.....	14
Inconsistent acts repealed, section 2.....	14

**RANDOLPH COUNTY,**

act to create the independent school district of Beverly la.....	209 to 212
--	------------

**REAL ESTATE,**

sale and redemption of, for non-payment of taxes—act amended.....	8-9
section 14, of chapter 46, acts 1885, concerning sale of lands for benefit of	
the school fund, amended.....	38, 39
lien upon real estate for taxes; how enforced, section 1.....	56
of certain incorporated companies, how assessed.....	82
tax on, section 51.....	58
sale of, under deed of trust; act relating to amended, section 6.....	178, 179

**REDEMPTION OF FORFEITED LANDS,**

sections 13 and 14, chapter 190, acts 1882 concerning the sale and, amended..	8, 9
former owner may redeem, before sale, in whole or in part; act amended	38, 39
how redemption effected and effect of.....	38, 39

**RED SULPHUR DISTRICT,**

error in the enumeration of youth in, corrected, section 1.....	121
what money auditor authorized to pay to, section 1.....	121

**REGENTS, WEST VIRGINIA UNIVERSITY,**

act relating to, amended.....	9, 10, 11
-------------------------------	-----------

<b>REGISTRAR OF VITAL STATISTICS,</b>	
who to be, section 23.....	196
his salary, section 23.....	196
report to be made by, section 23.....	196
report to be made to, section 23.....	199
<b>RELIGIOUS CONGREGATIONS,</b>	
how much land trustees of, may hold, section 7.....	116
suits by and against trustees of, section 7.....	116
<b>REPORTERS, SHORT-HAND,</b>	
employment of, authorized by judges circuit courts; their compensation, etc.....	52, 53
<b>REPRESENTATIVES IN CONGRESS,</b>	
requested to ascertain why the appropriations made by congress for the improvement of the Shenandoah river, etc., have not been expended...	223
to use their influence to secure the passage by congress of the militia pen- sion bill.....	224
to use their influence to secure an appropriation from congress to aid in the erection of a suitable monument to commemorate the battle of Point Pleasant.....	226, 227
to use their influence to have congress refund amount appropriated to pay certain salaries.....	275
<b>RESTAURANTS,</b>	
license to keep, section 1.....	83
penalty for failure to obtain license to keep, section 3.....	84
license to keep, how obtained, transferred, etc., sections 10, 11, 12, 26, 27.....	87, 88, 93
tax on license to keep, section 53.....	99
<b>ROADS, COUNTY,</b>	
alternative method of constructing and keeping in repair; certain sec- tions acts 1881 and 1885, concerning, amended.....	106 to 111
voters may adopt method, section 1.....	106
when and how question submitted to voters, section 2.....	106, 107
certificate of result of vote, section 4.....	107
division of districts into precincts, section 5.....	107
appointment of surveyors of, their term of office, sections 5, 6.....	107
board of surveyors of, a corporation, section 6.....	107
one surveyor of, appointed annually, section 7.....	108
surveyors of, to divide roads into sections; how, section 12.....	108
what to be specified as to such sections, etc., section 12.....	108
to be sold out; when and in what manner, section 13.....	108
surveyor of, not to bid or purchase, section 13.....	108
sales of additional sections; what notice, section 13.....	108
sections of, not sold at public sale, how sold, etc., section 13.....	108
bond of purchaser, section 13.....	108, 109
purchasers of, to sign names, etc., in book of surveyor, section 15.....	109
duty of surveyors, if contractor fail to keep, in repair, section 15.....	109
costs of repairs done by surveyor of, recoverable from contractor, section 15.....	109
report of surveyors of, to county court, section 16.....	109
duty of county court as to report, section 16.....	109
court to provide funds for repair of, section 16.....	109, 110
report by surveyors of, to board of surveyors, section 19.....	110
board may reject bids for; duty of board in such case, section 19.....	110
claims of contractors for, how certified and paid, section 22.....	110
surveyors of, to furnish county court, certified statement, section 22.....	110
what statement to show; how certified and paid, section 22.....	110
surveyors of, qualifying and refusing to act, how punished, section 23.....	110, 111
conflicting laws void, when, section 26.....	111
operation of act, how discontinued, section 27.....	111
alternative method of keeping in repair; certain sections, acts 1872-3 and 1881, concerning, amended.....	170 to 174

**ROADS, COUNTY—Continued.**

what to constitute a road precinct, section 3.....	171
surveyors; when elected or appointed; term of office, section 3.....	171
vacancies; how filled, section 3.....	171
when surveyor to qualify; bond, section 4.....	171
roads to be laid out and divided into sections; when, section 5.....	171
length of sections; how numbered and described; what to be specified, section 5.....	171
sale of roads in each district, section 6.....	171, 172
purchaser at such sale, section 7.....	172
report of sale to county court, section 13.....	172
court to confirm contract under sale, section 13.....	172
resale of road; when, section 13.....	172
road levy; when and how, section 13.....	172
amount of such levy limited; section 13.....	172
how collected, section 13.....	173
surveyors of, qualifying and refusing to act, how punished, section 20.....	173
change of, location of road; when and how, section 21.....	173
establishment or alteration of road, bridge or landing; when and how, section 21.....	173
viewers to examine and locate road, section 21.....	173
court may require county engineer to locate any road, section 21.....	173
duty of engineer in relation thereto, section 21.....	173, 174
report of viewers may be recommitted, section 21.....	174
duty of surveyor as soon as elected, section 21.....	174
relocation, etc., of road; duty of court as to, section 21.....	174
report in such cases and action of court thereon, section 21.....	174
proviso as to road fund, section 21.....	174
operation of, act how discontinued, section 22.....	174
proviso as to existing contracts, section 22.....	174

**RULES, JOINT,**

adoption of, for the government of the two houses.....	223, 224, 273
--	---------------

**SALARIES.**

of certain county officers, allowed by county court.....	214, 215
appropriations to pay officers of the executive department.....	247, 248-9
also librarian, etc.....	248, 249
keeper of the rolls.....	248, 249
Janitor.....	248, 249
Judges of the supreme and circuit courts.....	248, 249
clerk of supreme court.....	248, 249
clerks in the several offices of the state government.....	255, 268

**SALES,**

of property under deed of trust; act relating to, amended, section 6.....	178, 179
---	----------

**SALE OF REAL ESTATE FOR TAXES,**

sections 1 and 29, chapter 133, acts 1833, in relation to, amended.....	55 to 57
proceedings to enforce, section 1.....	56
payment of proceeds of, section 1.....	56
effect in evidence of deed, section 20.....	57

**SALE AND REDEMPTION OF LANDS,**

sections 13 and 14, chapter 130, acts 1882, concerning, amended.....	8, 9
section 14 of chapter 46, acts 1885, concerning the sale of lands for the benefit of the school fund, amended.....	38, 39

**SAVINGS BANKS,**

Incorporation of, authorized.....	39 to 49
number required to organize; qualification, residence, etc., section 1.....	39-40
agreement, form of, to be signed by organizers, section 2.....	40
certificate to be issued by secretary of state, section 3.....	40

SAVINGS BANKS—Continued.

to be filed in office clerk county court, section 4 .....	40
annual meet ngs of corporation, section 5.....	41
officers; how elected, sections 5 and 6.....	41
business, how managed, section 6 .....	41
removal of trustees of, section 10 .....	42
security required or officers, etc., section 11.....	42
liability of trustees of, section 12.....	42
who not to borrow funds of, nor become endorsers for money loaned by, section 13 .....	42
deposits and dividends; when and how paid, section 15 .....	42
deposits may be limited, section 15.....	42
may also be refused and returned, section, 15.....	43
powers and duties of trustees of, when depositors are minors or married women, section 16.....	42-43
how deposits and income to be invested, section 17.....	43-44
when investments to be made, except, etc., section 18 .....	44
excess of receipts may be deposited when; how drawn, section 19.....	44-45
real estate, section 17 to 20 .....	41-45
applications for loans, section 21.....	45
certificates of deposit not to be made or issued, section 22.....	45
not to pay interest on deposits; except, how, section 22.....	45
how deposits and checks to be paid, section 22.....	45
dividends, semi-annual, sections 22 to 27.....	45 to 49
reservation of guaranty fund, section 23.....	45
profits, how divided, section 24.....	45
when net profits are not one per cent., no dividend to be declared, section 25.....	46
how dividends to be authorized, section 27.....	46
compensation of trustees, section 28.....	46
examination of books, etc., of, by trustees, and their statement as to con- dition of finances, section 29.....	46, 47
to be published in newspaper, section 29.....	47
examination of affairs, investments, etc., may be ordered by circuit court; when, section 30 .....	47
penalty when trustee or other officer makes unauthorized investment, section 31.....	47
special meetings of trustees, section 32.....	47, 48
withdrawal of members of, section 33.....	48
effect from removal of member from state, section 33.....	48
list of certain unclaimed deposits to be published, section 34.....	48
to pay order of deceased depositor, within 50 days after date of order, section 35.....	48
deposits made in trust for another, section 36.....	48
business of, how discontinued, section 37.....	48, 49
division of assets after discontinuance, section 37.....	48
resolution of discontinuance to be certified to secretary of state and printed with acts, of legislature, section 37.....	49
disposition of property and assets of, when dissolved or charter expired, section 38.....	49
corporate existence remaining for settling up affairs, section 38.....	49
power of legislature to make examinations of and require report from, section 39.....	49
subject to what general law, section 40.....	49

SCHOOL BOOKS,

Joint committee to investigate contracts for furnishing.....	220, 230
--	----------

SCHOOLS, FREE,

nature of alcoholic drinks, narcotics, etc., to be taught in.....	5, 6, 7
disturbing, etc., deemed a misdemeanor; penalty, section 19.....	20

<b>SCHOOLS, FREE</b> —Continued.	
sections 96 and 97, chapter 15, acts of 1881, providing for the support of the normal school and its branches, amended.....	131, 162
act providing for a state board of examiners and the granting of state certificates to teachers in, .....	201
school registers and monthly reports, section 30.....	203
term register; where filed, section 30.....	204
penalty for failure to properly keep register and return same, section 30...	204
payment of teachers, section 20.....	204
school month, section 30.....	204
teachers' institutes, section 30 .....	204
duty of county superintendent as to such institutes. section 30.....	204
pay of instructors, section 30 .....	204
examinations for teachers, section 30.....	201, 205
course of instruction, etc., of institutes, section 30.....	205
failure of teacher to attend, section 30.....	205
<b>SCHOOL FUND,</b>	
section 14, chapter 46, acts 1885, concerning the sale of lands for the benefit of, amended .....	38, 39
appropriations to pay interest on money borrowed of,.....	257, 269
appropriation to pay amount due, for taxes collected on revenues of corporations, and interest thereon, .....	261
when to be paid.....	261
<b>SCHOOL DISTRICT, INDEPENDENT,</b>	
of Fayetteville, in Fayette county, establishment of authorized.....	50 to 52
of Point Pleasant, in Mason county, created.....	135 to 137
of Parkersburg; section 16, of act relating to, amended. ....	143, 144
of Phillippi; board of education of empowered to issue bonds .....	145, 146
of West Grafton, in Taylor county; act relating to, amended.....	146 to 149
the independent board of education of Charleston, authorized to issue bonds; for what and how.....	207, 208, 209
of Beverly, in Randolph county: act to establish .....	209 to 212
sections 4 and 5, of chapter 133, acts of 1872, relating to the independent school district of Pruntytown. amended.....	213
of Troy, in Gilmer county; act to create.....	219 to 222
<b>SCHOOL MONTH,</b>	
of how many days to consist, section 30,.....	204
<b>SCHOOL OFFICERS,</b>	
duty of, and of teachers, as to the study of the nature of alcoholic drinks and narcotics, and their effects upon the human system, in the public schools, section 2.....	6
penalty for neglect or failure, section 2 .....	6
<b>SCHOOL REGISTER,</b>	
dully and term, to be kept; what to be entered therein, section 30.....	203
forms and regulations respecting, who to prescribe, section 30 .....	203
term register; when and where returned and filed, section 30....	203, 204
<b>SEALS,</b>	
tax on state seal, section 45 .....	103, 104
<b>SECRETARY OF STATE,</b>	
certificate of, incorporating savings banks, section 3 .....	40
resolution of discontinuance of savings banks to be certified to, section 37	49
to deliver copy of resolution to clerk house of delegates, section 37.....	49
duty of as to certain corporations redeeming their charters .....	54, 55
tax on state seal to be paid to, section 85.....	104

## SECRETARY OF STATE—Continued.

report by, to auditor, section 92.....	105
penalty for failure to perform duties, section 93.....	105
duty of, as to certificates of result of vote on the several amendments proposed to the constitution, sections 4, 5.....	151, 181, 188, 189
certificate of inspector of mines, that he has taken the oath required, to be filed in the office of, section 3.....	162
power of attorney, by corporations, appointing agent to accept service of process, etc., to be filed and recorded in the office of, section 24.....	217
penalty for failure, section 24.....	217
foreign corporations; what to file in the office of, section 30.....	218
what certificate secretary to issue to such corporations, section 30.....	218
penalty on corporations, section 30.....	218
fee to secretary for certificate, section 30.....	218, 219
how to distribute second edition of the code, section 4.....	233
duty of, as to the reports, etc., of the joint boundary commission, of the boundary line between this state and Pennsylvania, section 2.....	230
appropriations to pay salary of,.....	247, 248
appropriations for contingent expenses of office of,.....	255, 267
to render detailed account to the legislature of such funds.....	255, 268
appropriations to pay salaries of clerks in office of,.....	255, 268
appropriation for fitting up document rooms for,.....	270

## SEMINARIES OF LEARNING,

how much land trustees of, may hold, section 7.....	116
---	-----

## SENATOR, UNITED STATES,

president of the senate and speaker of the house authorized to notify Charles J. Faulkner of his election to the office of,.....	274, 275
--	----------

## SENATORS AND REPRESENTATIVES,

In congress, requests to,.....	228, 224, 226, 227, 275
--------------------------------	-------------------------

## SEWING MACHINES,

license to sell, section 2.....	84
penalty for selling without license, section 3.....	84
tax on license to sell, section 79.....	102

## SHENANDOAH RIVER,

our representatives in congress requested to ascertain why the appropriations made by congress for the improvement of, have not been expended.....	223
--	-----

## SHERIFFS,

form of affidavit to be appended by, to list of lands sold for taxes and of lands redeemed, section 13.....	8-9
when such lists to be returned by, to clerk county court, section 14.....	9
penalty for failure, section 14.....	9
how compelled to make out and return such lists, section 14.....	9
power of, where liquor is sold clandestinely, section 21.....	90-91
power of, to inspect license, section 33.....	95
lists of licenses to be delivered to; when, section 36.....	95
effect of lists to charge sheriff, section 38.....	96
power of, to distrain for license tax, section 41.....	96
sale of property distrained by, when, section 41.....	96
insolvent list to be returned by, when, section 42.....	16
to pay license tax into treasury; when, section 43.....	96-97
proceedings against, for failure to pay license tax, section 44.....	97
what judgment to be rendered against, for failure to pay license tax; how, section 44.....	97
how and when such judgment against, may be opened, etc., section 45.....	97
right to proceed against sureties of, not affected, section 46.....	97

<b>SHERIFFS—Continued.</b>	
rate of interest charged to, in default of payment of license tax, section 46.....	97, 98
commission for collecting license taxes, section 47.....	98
penalty for failure to perform duties, section 93.....	105
time extended in which distraint and sale for fee bills may be made by, section 1.....	117, 118
to collect tax on goods sold by auction or otherwise, on which no assessment has been made; when and how, sections 1, 4.....	191
liability for failure, section 4.....	191
allowance to, by county court.....	214, 215
<b>SHOOTING.</b>	
within the inclosed lands of another, without permission; penalty, section 2.....	155
<b>SHOOTING-GALLERIES,</b>	
license to keep, section 1.....	83, 84
penalty for keeping without license, section 3.....	84
tax on license to keep, section 80.....	163
<b>SHORT-HAND REPORTERS,</b>	
Judges of circuit courts authorized to employ, .....	52, 58
compensation, how paid, etc., sections 1 and 2.....	53, 58
qualifications of; duties of, section 3.....	53
notes of, official, etc., section 3.....	58
duty of, as to copies of notes, in long hand, section 4.....	58
compensation for transcribing, section 4.....	53
provision as to stenographers heretofore employed, section 5.....	53
<b>SKATING RINKS,</b>	
license to keep, section 1.....	83, 84
penalty for keeping without license, section 3.....	84
tax on license to keep, section 71.....	101
<b>SOLDIERS,</b>	
medals of, remaining in adjutant general's office to be turned over to the commander of the grand army of the republic.....	225
appropriations to pay certain officers who rendered service during the late war.....	262
congress requested to refund amount so appropriated.....	275
<b>SPIRITUOUS LIQUORS,</b>	
(see title "Liquors").....	83 to 94, 100
(see, also, "Errata.")	
<b>STATE BOARD OF EXAMINERS,</b>	
to examine teachers; of whom to consist and how appointed, section 1.....	201
term of office; vacancies, section 1.....	201
when and where to meet, section 1.....	201
quorum, section 1.....	201
teachers' certificates; two grades of: to whom issued, section 2.....	202
holder of first-class, to what entitled, section 2.....	201
to whom second-class issued without examination, section 2.....	201
persons holding second-class, to what entitled, section 2.....	201
record to be kept by board, section 2.....	202
certificates to be countersigned: by whom, section 3.....	202
the effect of such certificates, section 3.....	202
where valid, section 3.....	202
fee to be paid by applicant, section 4.....	202
compensation and mileage of members of board, section 5.....	202
how paid, section 5.....	202
what report and account board to make; when, section 5.....	202



<b>STATE BOUNDARY LINE,</b>	
part of the, between this state and Maryland, confirmed and established section 1.....	237
what required of Maryland to put act into effect, section 2.....	237, 238
between this state and the state of Pennsylvania.....	238, 239
duty of secretary of state as to the reports of the joint commission appointed to establish such line, section 2.....	239
act providing for establishing, between this state and the state of Virginia, and appropriating money to pay expenses of same.....	242, 243
<b>STATE CERTIFICATES,</b>	
granting of, to public school teachers, provided for.....	201, 202
<b>STATE SUPERINTENDENT OF FREE SCHOOLS,</b>	
report and account to be made and returned to, by state board of examiners, section 2, 5.....	202
to countersign certificates issued by such board, section 3.....	202
duty of, as to school register, section 30.....	203
duty of, as to teachers' institutes, section 30.....	204
appropriations to pay salary of,.....	247, 249
appropriations to pay salaries of clerks in office of,.....	255, 216
<b>STATE OF WEST VIRGINIA,</b>	
part of the boundary line between, and the state of Maryland confirmed and established, section 1.....	207
what necessary on the part of the state of Maryland to put act into effect, section 2.....	237, 238
boundary line between, and Pennsylvania established.....	238, 239
act to establish part of the boundary line between, and the state of Virginia, and making an appropriation therefor,.....	242, 243
<b>STATIONERY,</b>	
appropriations for supplying,.....	256, 209
for deficiency and interest.....	257
<b>STENOGRAPHERS,</b>	
employment of, authorized by Judges of circuit courts; their compensation, etc.....	52, 53
<b>SUITS,</b>	
may be instituted by auditor to enforce lien for taxes; when; where, section 1.....	56
at common law; amendment proposed to the constitution concerning.....	232
act submitting same to vote of the people.....	150 to 152
<b>SUNDAY-SCHOOLS,</b>	
disturbing, etc., deemed, a misdemeanor; penalty, section 19.....	20
<b>SUPREME COURT OF APPEALS,</b>	
second edition of code authorized to be published to be approved by judges of, section 3.....	233
appropriations to pay salaries and mileage of Judges of,.....	248, 249
appropriations to pay salary of clerk of,.....	248, 249
appropriations for contingent expenses of,.....	256, 208
for binding and purchasing books for state libraries, to be drawn upon the order of,.....	260, 270
appropriation for furniture of rooms of,.....	257
calendar of sessions held by, (appendix).....	vi
<b>SUPREME COURT REPORTS,</b>	
appropriations to pay for printing and binding.....	250, 208
<b>SURVEYORS OF ROADS,</b>	
appointment, powers, and duties of, under alternative road method, as amended, sections 5, 6, 7, 12, 13, 15, 16, 19, 22, 23.....	107 to 111

<b>SURVEYORS OF ROADS—Continued.</b>	
election, appointment, powers and duties of, under alternative road method, as amended, sections 3, 4, 5, 6, 7, 13 and 21.....	171 to 174
penalty on road surveyor for refusing to act or neglecting his duties after his election and qualification, section 20.....	173
<b>TAVERNS,</b>	
(see title "Hotels") .....	83, 84, 86, 87, 88, 92, 93, 94, 99
<b>TAX,</b>	
certain corporations relieved from forfeiture for failure to pay license tax; conditions.....	54, 55
<b>TAXES,</b>	
lien on real estate for, section 1.....	56
auditor may institute suit to enforce lien for, when, section 1.....	56
suit when brought, section 1.....	56
assessment of incorporated companies for, act amended .....	81, 82
amount and rate of, on each subject of taxation, chapter 33, of code, in relation to, amended.....	98 to 105
on real and personal property, section 51 .....	98
capitation, section 52 .....	99
on licenses, sections 53 to 84.....	99 to 106
on state seal, section 85 .....	103, 104
on corporations, sections 86, 87.....	104
what corporations exempt from, section 91.....	105
report to be made by secretary of state, section 93 .....	105
chapters 107, 108, acts of 1877, repealed, section 2.....	105
on collateral inheritances, distributable shares and legacies.....	111 to 115
time extended in which distraint and sale for, by sheriff may be made, section 1.....	117, 118
to be collected on goods sold by auction or otherwise, on which no assessment has been made; how .....	191
appropriations for refunding over-paid, .....	256, 268
appropriations for refunding taxes erroneously assessed, collected, etc.....	256, 268
appropriations for refunding county, district and municipal taxes.....	256, 269
<b>TAYLOR COUNTY,</b>	
charter of the town of Grafton in, amended .....	121
act to establish the independent school district of West Grafton in,.....	146 to 149
act relating to the independent school district of Pruntytown in, amended .....	213
<b>TEACHERS' CERTIFICATES,</b>	
none to be granted, after January 1, 1880, unless applicant pass satisfactory examination in physiology and hygiene, section 2 .....	6
granted by state board of examiners; effect and validity of, sections 2 and 3.....	201, 202
<b>TEACHERS, PUBLIC SCHOOL,</b>	
to be examined in physiology and hygiene; when, section 3.....	6
state board of examiners provided for the examination of, and granting of state certificates to,.....	201, 202
registers to be kept and reports to be made by, section 30.....	203
when and where term register to be returned, section 30.....	203, 204
penalty for failure to properly keep and return such register, section 30....	204
salaries of, when and how paid, section 30.....	204
school month; how many days to teach, section 30 .....	204
failure or refusal by, to attend teachers' institutes, unless, etc., precludes employment as teacher, section 30. ....	205
<b>TEACHERS' INSTITUTES,</b>	
when and how held, conducted, etc., section 30.....	204, 205
examination for teachers at the close of, section 30.....	204, 205
consequence if teacher fail to attend institutes, section 30.....	205

## TERMS OF COURTS,

commencement of, in the 13th circuit--not amended.....	8, 4
calendar of, in the several circuit courts; also of the supreme court and U. S. court--see appendix.....	VI to XI

## THEATERS,

license to sell intoxicating liquors, etc., at, section 1.....	83
penalty for selling at, without license, section 3.....	84
license for performance at, section 2.....	84
time for which license granted, sections 30, 31.....	94
tax on license for performance at, section 81.....	102, 103

THE WEST VIRGINIA SCHOOLS FOR THE DEAF AND THE BLIND,  
the name of "The West Virginia Institution for the Deaf and Dumb and Blind" changed to, section 1.....

sections 1 and 11, of chapter 71, acts 1871, concerning, amended.....	175, 176
---	----------

## TOBACCO, SNUFF AND CIGARS,

joint resolution requesting that no prosecution be maintained against persons selling at retail, without a state license.....	275, 276
---	----------

## TOWNS,

carcasses and other noxious matters prohibited from being deposited upon streets, alleys, public grounds, etc.....	59, 60
proceedings to abate.....	60
penalty if not abated.....	60
of Wellsburg; charter amended.....	20 to 35
of Parkersburg; charter amended.....	61 to 80
of Grafton; charter amended.....	121 to 131

## TREASURER, STATE,

appropriations to pay salary of.....	247, 248
appropriations for contingent expenses of office of.....	255, 267
to render detailed account to legislature of such funds.....	255, 268
to pay salary of clerk in office of.....	255, 268
authorized to dispose of the unavailing balance due state from merchants' bank; when, section 5.....	271

## TREASURY, STATE,

payment of license tax, into; when, section 43.....	96, 97
sum now in, to credit of building fund, or which may hereafter be collected, to be turned into the state fund, section 4.....	271

## TRIALS,

in criminal cases; sections 1, 3, 4, 8, of chapter 124, acts of 1882, amended...	243 to 245
--	------------

## TRUSTEES,

of Odd Fellows Hall association of city of Wheeling; action of legalized and made valid, section 2.....	5
of savings banks; their powers, duties, etc., sections 5, 6, 7, 8, 9, 11, 12, 13, 15, 16, 17, 18, 22, 27, 28, 31, 32, 34.....	41 to 48
of M. E. church, south; certain land authorized to be conveyed to, and certain sum paid to, section 1.....	58
of churches and benevolent etc., associations; may hold how much land, section 7.....	116
section 7, chapter 38, acts 1882, concerning, amended.....	116
sale of property by, conveyed in deed, when and how, section 6.....	178
terms of such sale, section 6.....	178
application of proceeds, section 6.....	178
commission, section 6.....	178
surplus, to whom paid, section 6.....	178
to give bond if required, section 6.....	178
penalty and condition of such bond, section 6.....	178
before whom given, section 6.....	178

<b>TRUSTEES—Continued.</b>	
no sale to be made when bond is required until given and approved, section 6.....	178
notice of sale to have appended what, section 6.....	178
bond may be required; when and how, section 6.....	178, 179
failure to give bond vacates his powers, section 6.....	179
new trustee; how appointed, section 6.....	179
filing and recordation of bond, section 6.....	179
notice of sale by trustee; what to contain, section 6.....	179
in what cases trustee to settle his accounts before commissioner, section 6	179
<b>UNDERTAKERS,</b>	
required to report all cases of death, coming under their supervision, section 26 .....	199
<b>UNITED STATES COURT,</b>	
commencement of terms of, (appendix).....	xi
<b>UNIVERSITY, WEST VIRGINIA,</b>	
sections 78, 80 and 82, acts 1881, concerning, amended .....	9, 10, 11
regents of, their number, powers and duties, sections 7, 80 and 82.....	10, 11
quorum of regents, in certain cases, section 78.....	10
terms of present board not affected by this act, section 78.....	10
when, in what manner, and what members, to retire annually from board, section 78 .....	10
vacancies, how filled, section 78.....	10
diploma of graduation from law school of, entitles holder to practice law; when.....	19
appropriations for support of, etc.....	252, 266
proviso as to compensation of regents of, .....	252, 266
<b>VACCINE AGENTS,</b>	
appropriations to pay.....	257, 269
<b>VIEWERS,</b>	
of roads, bridges and landings; when and how appointed, section 21.....	173
their powers and duties, section 21.....	173, 174
<b>VIRGINIA, STATE OF,</b>	
act to establish part of the boundary line between, and this state.....	241
<b>VITAL STATISTICS,</b>	
who to be registrar of, section 23.....	198
report to be made by registrar of, section 23.....	198
report to be made to registrar of, section 23.....	199
<b>VOTERS,</b>	
(see title "Elections") .....	183 to 185
<b>WAGES,</b>	
to be paid at regular intervals and in lawful money to operatives and laborers engaged in and about mines and manufactories.....	192 to 194
<b>WAR TAX,</b>	
governor directed to enquire into the act for refunding the, to this state..	231
<b>WATERS,</b>	
depositing carcasses of dead animals and other noxious matter in, prohibited.....	60
penalty, etc.....	60
<b>WATERING PLACES,</b>	
license to keep bowling alleys, billiard tables, etc., at, section 80.....	94
for what time granted, and tax on same, sections 68 to 72.....	100, 101

**WELLSBURG, CITY OF,**

charter of, amended.....	20, 35
boundaries of city, section 1.....	21
name and corporate powers, section 2.....	21
officers, section 3.....	22
powers and duties of mayor, section 4.....	22
marshal, duties of, section 6.....	23
wards of city, section 7.....	24
boundaries of wards, section 8.....	24
elections, section 9.....	24
terms of office, section 10.....	24
oath of office, section 11.....	25
who may vote and when, section 12.....	25
council, how composed, section 13.....	25
officers, when elected, etc., section 14.....	25, 26
street commissioner, section 15.....	26
first branch of council to appoint clerk, section 16.....	26
the vote, section 17.....	26
contested elections, section 18.....	26
presiding officer, section 19.....	26, 27
record of council, section 20.....	27
duties and salary of clerk, section 21.....	27
reading of minutes, etc., section 22.....	27
vote of mayor, section 23.....	27
council, powers and duties of, section 24.....	27, 28, 29
finances, section 25.....	29, 30
licenses, section 26.....	30
vote on granting license, section 27.....	31
amount of license, section 28.....	31
manner of procuring license, section 29.....	31
sidewalks, etc., section 30.....	31, 32
collection of taxes, section 31.....	32, 33
lien for taxes, section 32.....	33
condemnation of real estate, section 33.....	33
gambling, penalty for, section 34.....	34
meetings of council, section 35.....	34
election officers, etc., section 36.....	34
salaries; when payable, section 37.....	34
appropriations, section 38.....	34, 35
proof of ordinances, etc., section 39.....	35
present officers and ordinances, section 40.....	35
acts repealed, section 41.....	35

**WHEELING, CITY OF,**

charter of Odd Fellows' Hall Association of, amended.....	4-5
---	-----

**WHEELING HOSPITAL,**

name of, changed, section 1.....	15
authorized to keep an orphan asylum and pest house, section 1.....	15
corporate powers, section 1.....	15
real estate limited, section 1.....	15
persons having contagious disease not to be kept in city, section 1.....	15
capital stock increased and limited, section 2.....	15
shares deemed personal estate; how transferable, section 2.....	15

**WINES,**

license required for sale of, section 1.....	83, 84
penalty for selling, without license, section 2.....	84
tax on license to sell, section 61, 66.....	100

**WITNESSES,**

in proceedings before justices on criminal complaint number of witnesses on behalf of the state to be paid, limited, section 2.....	241
---	-----

INDEX.

lxiii

WITNESSES—Continued.

examination of witnesses in such cases; when, section 12.....	241
persons indicted for felony may have depositions of, taken; when and how, section 1.....	243, 244
expense of such depositions; how paid, section 1.....	244
when and to what extent such depositions to be read, section 1.....	244

WOOD COUNTY,

charter of city of Parkersburg in, amended.....	61 to 80
section 10, of act relating to school district of Parkersburg in, amended.....	143, 144

WORKSHOPS,

certain minors not to be employed in,.....	18
penalty for violation.....	18