

A C T S  
OF THE  
LEGISLATURE  
OF  
WEST VIRGINIA,  
AT ITS  
FOURTH SESSION,  
COMMENCING JANUARY 16<sup>TH</sup>, 1866.



WHEELING:  
JOHN FREW, PUBLIC PRINTER.

1866.



# ACTS.

CHAP. 1.—An ACT to amend and re-enact Sections 3 and 4 of Chapter 102 of the Code of Virginia, second edition.

Passed January 25, 1866.

Be it enacted by the Legislature of West Virginia :

Section third and fourth of chapter one hundred and two of the code of Virginia, second edition, are amended and re-enacted so as to read as follows :

“3. Every person shall restrain his distempered cattle or sheep, or such as are under his care, that they may not go at large off the land to which they belong, and no person shall drive any distempered cattle or sheep into or through the state, or from one part thereof to another, or over or across any public road in the state ; and when any such cattle or sheep shall die, the owner thereof or person having them in charge shall cause them to be buried, with their hides on, four feet deep. If any person shall offend against this section in any respect, he shall forfeit four dollars for every head of such cattle or sheep.”

Restraint of distempered cattle.

Penalty.

“4. Any justice, upon proof before him, that any cattle or sheep are going at large, or are driven in or through his county or township, in violation of the preceding section, may direct the owner to impound them ; and if he fail to do so, or suffer them to escape from the pound before obtaining from a justice a certificate that they may be removed with safety, the justice giving such direction, or some other justice shall order them to be killed and buried four feet deep with their hides on, but so cut that none may be tempted to take them up.”

Enforcement by Justices.

CHAP. 2.—An ACT legalizing the payment of money by Superintendents of Schools to Treasurers of Counties for the use of Free Schools.

Passed January 29th, 1866.

Be it enacted by the Legislature of West Virginia :

1. That the payment of money belonging to the indigent fund in the hands of the late superintendents of schools to the county treasurers for the use of free schools be and the same is hereby legalized.

Payment legalized

2. That the county superintendents of free schools are hereby required to ascertain, so soon as possible after the passage of this act, the amount of indigent fund remaining in the hands of the late county

Drafts on indigent fund.

superintendents of schools, and to issue warrants for the payment of the same into the county treasury for the use of free schools.

Suits for indigent fund.

3. That the county superintendents of free schools be and are hereby required to institute suits for the recovery of such indigent funds as may remain unpaid on the first day of July, eighteen hundred and sixty-six.

Duty of county treasurer.

4. That the county treasurer is hereby required to pay on the warrant of the county superintendent of free schools of his county, out of the funds coming into his hands by this act, all claims which should have been paid under the law for the tuition of indigent children, and the county treasurer is hereby required to audit and settle all accounts of the late superintendents of schools pertaining to the indigent fund.

CHAP. 3.—An ACT amending Section 44 of Chapter 100, of the Acts of 1863.

Passed January 29th, 1866.

Be it enacted by the Legislature of West Virginia:

That section forty-four of chapter one hundred of the acts of eighteen hundred and sixty-three, is hereby amended and re-enacted, so as to read as follows:

Vacancy in office of Judge, &c.

“44. When any vacancy exists in the office of judge of the supreme court of appeals, or of any circuit, or secretary of the state, auditor, treasurer, or attorney general, the governor shall fill such vacancy by temporary appointment, which appointment shall continue until the same be filled by an election to fill the same at the next general October election after such vacancy accrues, and until such person so elected shall be duly qualified therein. But if the regular term of the office, which is vacant, expires on the last day of December, or on the third day of March next following the first general October election, which comes after the vacancy exists, then the appointment shall be for the unexpired term. The bond, if any be required by law, to be given by the officer so temporarily appointed, shall be in such penalty as the governor may direct. When a vacancy, in any of the offices above named, is to be filled by election by the people, the governor shall give notice thereof by proclamation a reasonable time before the election day. And if there be any vacancy in the representation

Appointments to fill same.

Vacancy in congress.

from this state in the congress of the United States, the governor shall within ten days after the fact comes to his knowledge, give notice thereof by proclamation, to be published in such newspapers in the district where such vacancy may occur, as he may deem best calculated to give information thereof to the voters of such district, and in such proclamation he shall appoint some day, not over sixty, nor less than thirty days from the date thereof, for holding the election to fill such vacancy, which election shall be held accordingly; and the governor shall issue writs of election, directed to the sheriff of the counties included in the said congressional district, and the sheriffs, on the

receipt of the same, shall give notice to the supervisors and inspectors of elections of the several townships of his county."

CHAP. 4.—An ACT to extend the time allowed the Civil Officers of the counties of Pendleton, Hardy and McDowell, in which to qualify and give bond.

Passed January 30, 1866.

Be it enacted by the Legislature of West Virginia :

All the county and township officers who were elected on the twenty-sixth day of October, eighteen hundred and sixty-five, in and for the counties of Pendleton, Hardy and McDowell, shall be allowed until the first day of April, eighteen hundred and sixty-six, to qualify and execute their official bonds.

Allowed till  
April 1, 1866.

CHAP. 5.—An ACT for the relief of James A. Ewing.

Passed January 31, 1866.

Be it enacted by the Legislature of West Virginia :

The board of supervisors of Wood county are hereby authorized to pay to James A. Ewing, out of the school fund, by order on the treasurer thereof, such allowance as justice may require, for services rendered as county superintendent of free schools for said county.

Payment for services as county superintendent.

CHAP. 6.—An ACT to authorize the release of Mortgages, Deeds of Trust and other recorded liens.

Passed February 1, 1866.

Be it enacted by the Legislature of West Virginia :

1. The word "lien," as used in this act, shall be held to apply to mortgages, deeds of trust to secure the payment of money or for other purposes, conveyances reserving liens for purchase money; judgments, lis pendens, and attachments docketed or recorded pursuant to the third, fourth and fifth sections of chapter one hundred and eighty-six of the code of Virginia, second edition; and mechanics' liens under the second section of chapter one hundred and nineteen of the said code, or under any special act authorizing or regulating mechanics' liens. And the word "lienor" to apply to the person, (not being a married woman, or otherwise incapable in law of executing a valid release,) entitled to the benefit of such lien, or the money secured or intended to be secured thereby.

Construction of the words "lien" and "lienor."

2. The lienor may release any lien, to the benefit of which he is entitled, by a release signed by him, acknowledged by him before the recorder of the proper county, or any person authorized by law to take acknowledgments of deeds, and admitted to record as herein-after provided; but nothing contained in this act shall be construed to authorize the release or discharge of any lien contrary to the pro-

How lien may be released.

Provide.

visions of the instrument under which the lienor claims his right, or when it is provided in such instrument that the person, for whose benefit it is intended, shall not release or discharge the same.

3. The release shall be deemed sufficient if it describe the lien to be released by any words that will identify the same, and show an intent on the part of the lienor that such lien should be thereby released, discharged or deemed satisfied; and be signed, acknowledged and admitted to record as aforesaid.

4. It may be in form or substance as follows:

I. If it be intended to release a mortgage or deed of trust: I, A. B., hereby release a mortgage, (or, deed of trust,) made by C. D. to me, (or, to E. F., my trustee,) dated the — day of —, and recorded in the recorder's office of — county, West Virginia, in deed book —, page —, (to be signed) A. B. Acknowledged before the subscriber, this — day of —, (to be signed) G. H., justice, (or recorder, notary public, &c., as the fact may be.)

II. If it be intended to release a lien for purchase money reserved in a conveyance: I, A. B., hereby release the right reserved to me in a conveyance executed by me, (or, myself and wife,) to C. D., dated the — day of — (and so forth, as in the preceding form.)

III. If it be intended to release a judgment or decree: I, A. B., hereby release a judgment (or decree,) in my favor, (or in favor of J. K., which has been assigned to me, or in favor of J. K. for my use,) against C. D. for (stating the amount,) with interest and costs, rendered by (stating the court or justice by whom it was rendered, and the date when, or the term at which it was rendered, to be signed and acknowledged as above.)

5. The release shall be signed by the lienor, personal representative or guardian, and be acknowledged before the recorder, in whose office the lien thereby released is recorded or docketed, or before any person authorized to take acknowledgments of deeds, and such acknowledgment may be certified in the form or to the effect above set forth, and from the time the said release is left for record with the recorder in whose office the lien thereby released is recorded or docketed, (which time the recorder shall note by endorsement thereon,) the said lien shall be deemed extinguished, and the estate, real or personal, legal or equitable, conveyed, transferred, reserved or bound in any wise by such lien, whether vested in the lienor or a trustee for him, to be restored to the former owner and those claiming under him, to the same extent and effect as if such lien had never existed.

6. The releases left with him for record, and deeds of release admitted in his office to record, shall be recorded by the recorder in a well-bound book, kept for that purpose exclusively, to which he shall make and keep proper indexes. Whenever any release or deed of release is recorded in the said book, the recorder shall note the same, with a reference to the book and page where it is recorded, on the margin of the record or docket of the lien released thereby.

When release sufficient.

Form of release of mortgage or deed of trust.

Of purchase money reserved.

Of judgment.

Acknowledgment of release.

When lien extinguished.

Duty of recorder.

7. For recording, indexing and noting any release as aforesaid, Recorder's fee. the recorder may charge a fee of fifty cents.

8. Upon request by the party entitled to such release, of the party entitled to make the same, and upon refusal of such party to enter such release, and upon reasonable notice thereof to such party so refusing, any court having jurisdiction may order and direct the same to be done by the recorder, at the cost of the party so refusing, for which service and all other entries so directed to be made by the said recorder, he shall for each of such entries be entitled to receive fifty cents.

Court may order release.

9. Nothing in this act shall be deemed to affect or impair the validity of any deed of release or other writing discharging any lien herein mentioned, heretofore or hereafter made.

Other releases valid.

### CHAP. 7.—An ACT establishing the county of Mineral out of a part of the county of Hampshire.

Passed February 1, 1866.

Be it enacted by the Legislature of West Virginia:

1. So much of the county of Hampshire as is included within the following boundary lines, to-wit: Beginning at the point where the dividing line between the county of Hardy and the said county of Hampshire intersects the line between this state and the state of Maryland, thence running with said line between said counties of Hardy and Hampshire, crossing Patterson's creek to the dividing line between the townships of Welton and Romney, in the said county of Hampshire, on the top of Middle Ridge, thence along the top of Middle Ridge and with the said line between the townships of Welton and Romney, to the dividing line between the townships of Frankfort and Springfield in the said county of Hampshire; thence along the top of said Middle Ridge and with said line between the said townships of Frankfort and Springfield to the Maryland line, thence with the dividing line between this state and the state of Maryland to the place of beginning, shall form one distinct and new county, which shall be called and known by the name of Mineral county.

Boundaries of Mineral county.

2. All township officers within the bounds of the said new county, at the date of the passage of this act, shall remain in office for and during the terms for which they have been elected, and until their successors shall be elected and qualified according to law. The supervisors of the several townships within the said new county in office as aforesaid, shall constitute the board of supervisors of the said county of Mineral until their successors are elected and qualified as aforesaid, and shall have all the powers and perform all the duties, vested in and imposed by law upon other boards of supervisors.

Township officers.

Board of supervisors.

3. The county seat of said new county shall be at the village of New Creek, situated on the Baltimore and Ohio railroad, and the

County seat.

board of supervisors of said new county shall proceed as soon as practicable after the passage of this act to provide a suitable court house and other public buildings for the said county, in the manner required by the seventh section of the act passed October twenty-first, eighteen hundred and sixty-three, entitled "An Act defining in part, the powers and duties of the several counties of the state."

County officers.

4. The judge of the circuit court of the said new county shall as soon after the passage of this act as practicable, appoint a clerk for said court, and a prosecuting attorney and sheriff for said county, who shall hold their office until the first day of January, eighteen hundred and sixty-seven, and until their successors shall be elected and qualified according to law.

Judicial circuit,  
&c.

5. The said new county shall be attached to the same judicial circuit, and to the same congressional and senatorial districts with the said county of Hampshire.

Delegate.

6. The said new county and the said county of Hampshire shall each elect one delegate to the house of delegates, until a new apportionment of representation therein shall be made as provided in the constitution of this state.

Execution of  
process, &c.

7. All process issued in the said county of Hampshire before the organization of the said new county, and all public dues and officers' fees which may remain unpaid by the citizens of the said new county, shall be executed, returned, collected and accounted for, by the sheriff or other officer in whose hands the same may have been placed, in the same manner as if this act had not been passed.

Jurisdiction of  
Hampshire  
courts.

8. The courts of the said county of Hampshire shall retain jurisdiction over all actions, suits and proceedings herein pending at the passage of this act, and shall try and determine the same, and award execution or other process thereon, except in cases in which both parties reside in the said new county, which last mentioned cases, together with the papers and a transcript of the record of the proceedings therein had, shall, after that day, if either party so desire, be removed to the courts of the said new county, and there tried and determined as other cases.

Townships.

9. The board of supervisors of said new county may create an additional number of townships therein, not exceeding four, without submitting their action in the matter to a vote of the people. The said board may also provide a place for holding the courts of said new county in the town of Piedmont, until the completion of the court house at New Creek.



CHAP. 8.—An ACT to amend and re-enact Section 16 of Chapter 184, Code of Virginia, second edition.

Passed February 1, 1866.

Be it enacted by the Legislature of West Virginia:

The sixteenth section of chapter one hundred and eighty-four, code of Virginia, second edition, is hereby amended and re-enacted so as to read as follows:

"16. No clerk or recorder shall charge for taking bond from, administering oaths to or copying orders as to the recommendation, appointment or qualification of any justice, or of any sheriff, sergeant, coroner, assessor or surveyor, or for a deputy or assistant of either of them, or of any escheator, constable, militia officer or overseer of the poor, nor for making or copying orders as to binding out poor children, or as to county levies, or grand juries, and administering the necessary oaths."

Clerk or recorder not to charge for certain services.

CHAP. 9.—An ACT to amend an Act entitled "An Act creating a Board for the examination of certain Military Claims," passed February 25, 1865.

Passed February 1, 1866.

Be it enacted by the Legislature of West Virginia:

Section six of an act entitled "An Act creating a board for the examination of certain military claims," passed February twenty-fifth, eighteen hundred and sixty-five, is amended and re-enacted so as to read as follows:

"6. The governor shall annually, and at any time during its session, transmit to the legislature the report of the said board in order that provision may be made for the payment of said claims."

Annual reports.

CHAP. 10.—An ACT to amend and re-enact Section 64 of Chapter 100, of the acts of 1863.

Passed February 1, 1866.

Be it enacted by the Legislature of West Virginia:

Section sixty-four of chapter one hundred, of the acts of eighteen hundred and sixty-three is hereby amended and re-enacted so as to read as follows:

"64. Every place at which intoxicating liquors are sold, shall be kept closed on the day preceding and on the day of election, and if any person, whether licensed to sell intoxicating liquors or not, sell, or offer or expose for sale any such liquors, or keep open any distillery, bar, office, stall or room in his possession or under his control at which such liquors had usually been sold or shall at any other place sell or permit any person to drink any intoxicating liquor at the same on the day preceding or day of election, he shall forfeit not

Places for sale of liquors to be closed on election days.

Penalty.

Penalty for  
drunkenness on  
election days.

less than fifty nor more than one hundred dollars for every such offense. If any person be seen drunk at a place of holding any election on an election day, he shall be fined not less than ten nor more than fifty dollars, and in default of giving security for his good behavior for six months, be imprisoned for not less than five nor more than twenty days."

CHAP. 11.—An ACT to amend the Charter of the town of Clarksburg.

Passed February 2, 1866.

Be it enacted by the Legislature of West Virginia:

The charter of the town of Clarksburg is amended and re-enacted so as to read as follows:

Corporate limits.

1. The corporate limits and boundaries of the town of Clarksburg shall be as follows: Beginning at the mouth of Elk creek, where it enters the West Fork river, thence up said creek to the mouth of Gregory's run, thence up said run to the Northwestern Virginia railroad, thence in a direct line to a point near Clemens' Rock, thence with the ridge between said run and Elk creek to Pinnick-innick, thence in a direct line to the Still House run, where the Northwestern Virginia railroad crosses said run, thence with the meanderings of said run to Elk creek, thence with said creek and its meanderings to the mouth of the drain from Monticello spring, thence a due west line to the West Fork river, thence down said river to the beginning.

Power of corporation

2. The corporation shall have power within said limits to open alleys and streets, and to widen old alleys and streets if it be necessary for the welfare and convenience of said town.

CHAP. 12.—An ACT to protect State and local bounties for volunteers in the service of the United States and of this State, against attachment and levy for debt.

Passed February 3, 1866.

Be it enacted by the Legislature of West Virginia:

Bounties not  
liable for debts.

No bounty heretofore provided by this state, or any county, township or other organization thereof, for soldiers who volunteered in the service of the United States or of this state, nor any security for such bounty, shall be, in any way, liable to attachment or other process for the payment of any debt, claim or contract made by, or arising against the soldier for whom such bounty may have been provided previous to his enlistment. Provided, this act shall not affect any contract made by such soldier providing for the support or protection of his family or others dependent on him for support during his term of service.

Proviso.

СНАР. 13.—An ACT to authorize the sale of a lot in or near the town of Martinsburg.

Passed February 5, 1866.

Whereas, Adam Stephens, the original proprietor of the land upon which the town of Martinsburg, in the county of Berkeley, was established, granted to the inhabitants of said town a lot situated in or near said town for school purposes; and whereas, by reason of its proximity to the Baltimore and Ohio Railroad it has become unsuitable as a site for a public school, and for many years has been abandoned as such: Therefore,

Preamble

Be it enacted by the Legislature of West Virginia:

The mayor and common council of said town are hereby authorized to make sale of said lot, at public or private sale, as they may deem best for the interests of the inhabitants of said town, with full power to execute and deliver a deed for the same. The net proceeds of such sale shall be paid to the board of education of the township of Martinsburg, for the benefit of free schools in said township.

Sale.

Proceeds

СНАР. 14.—An ACT to amend and re-enact the first section of an act entitled "An act providing for issuing grants for land in certain cases," passed December 9, 1863.

Passed February 5, 1866.

Be it enacted by the Legislature of West Virginia:

That the first section of an act entitled "an act providing for issuing grants for land in certain cases," passed the ninth day of December, eighteen hundred and sixty-three, shall be amended and re-enacted to read as follows:

"1. All entries made before the twentieth day of June, eighteen hundred and sixty-three, under the provisions of chapter one hundred and twelve of the code of Virginia, second edition, which were in force on that day, and which have not heretofore been surveyed, shall be surveyed according to the provisions of said chapter of said code. All plats and certificates of such surveys, whether heretofore or hereafter made; plats and certificates of all other surveys in force on said twentieth day of June, eighteen hundred and sixty-three, and copies of all plats and certificates of surveys heretofore filed in the land office at Richmond, on which no grants have issued, and been delivered to the parties to whom issued, shall, before the ninth day of December, eighteen hundred and sixty-seven, be returned by those for whom the surveys are made, to the secretary of the state, and they may demand from him receipts for the same; and no grant shall issue for any land until the conditions imposed by section forty-three of the said chapter of the said code be complied with by the person applying for the grant."

Survey of entries made before June 20, 1863.

Time for returning plats extended.

CHAP. 15.—An ACT to amend and re-enact section 36, chapter 176, Code of Virginia, second edition.

Passed February 5, 1866.

Be it enacted by the Legislature of West Virginia :

The thirty-sixth section of chapter one hundred and seventy-six, code of Virginia, second edition, is hereby amended and re-enacted so as to read as follows :

Witness fees.

“36. A person attending as a witness under a summons, shall have one dollar for each day's attendance, and five cents per mile for each mile necessarily traveled to the place of attendance, and the same for returning, besides the tolls at the bridges and ferries which he crosses or turnpike gates he may pass. On his oath, an entry of the sum he is entitled to, and for what, and by what party it is to be paid, shall be made, when the attendance is before either house or a committee of the legislature, by the clerk of such house or committee, and in other cases by the clerk of the court in which the case is, or the person before whom the witness attended. A witness summoned to attend in several cases, may have the entry made against either of the parties by whom he is summoned ; but no witness shall be allowed his attendance in more than one case at the same time.

How entered.

Exception.

This section shall not apply to witnesses before justices.”

CHAP. 16.—An ACT amending the Charter of the town of Triadelphia, in the County of Ohio.

Passed February 8, 1866.

Be it enacted by the Legislature of West Virginia :

Section eight of chapter one hundred and eighty-one of the acts of the general assembly of Virginia, eighteen hundred and forty, is hereby amended and re-enacted so as to read as follows :

Powers of common council.

“8. The common council of the town of Triadelphia shall have power to erect a town hall, a market house, a work house, a jail, a watch house, and other buildings deemed necessary for the convenience or benefit of said town ; to establish and organize fire companies, and purchase engines ; to regulate and graduate the streets and alleys, and to pave the same if deemed necessary ; to cause the footways or sidewalks to be paved at the expense of the owners or occupiers of the lot or parts of lots ; and in case they, or any of them, shall neglect or refuse to pave the same when required, it shall be lawful for the common council to cause the same to be paved, and to recover the expense or cost thereof before any justice of Triadelphia township ; provided, that such expense or cost shall not exceed the sum of twenty dollars for any one lot or part of a lot. And in all cases where the tenant shall be required to pave the footway or sidewalk in front of the property in his or her occupation, the expense or cost of such pavement paid by him, her or them, shall be a good and valid set-off against so much of the rent due, or to become due for the tenement or the property

occupied; to prevent the firing of guns and running horses or any other animals of their kind in said town; to license and regulate shows and other public exhibitions; to levy a fine on those who create a nuisance, public or private; to lay and collect taxes on the persons and property, real and personal, within the said town; provided, that the same shall not exceed five per centum on the yearly rent or value of the real property in any one year, and fifty cents on each tithable person; to appoint all such officers as shall be necessary for conducting the affairs of said corporation, not otherwise provided for by this act, and to allow them such compensation as they may deem necessary and proper, and not contrary to the constitution or laws of this state, or of the United States; and to enforce the observance thereof by fines and penalties, not exceeding for any one offense the sum of ten dollars, recoverable with costs before the mayor or recorder of said town, or before any justice of Triadelphia township, for the use of said town."

CHAP. 17.—An ACT appropriating six hundred dollars to  
Wm. Alexander.

Passed February 8, 1866.

Be it enacted by the Legislature of West Virginia:

That the sum of six hundred dollars is hereby appropriated, to be paid to William Alexander, to replace the same amount which was lost by him while in the discharge of his duties, in bringing home the money belonging to the soldiers of this state. Appropriation to Wm. Alexander.

CHAP. 18.—An ACT to enable the Council of the city of  
Parkersburg to change the names of the streets thereof.

Passed February 10, 1866.

Be it enacted by the Legislature of West Virginia:

That the mayor and city council of the city of Parkersburg, at the first meeting thereof in the month of April, eighteen hundred and sixty six, are hereby authorized and empowered to change the names of any, or all the streets in said city, and substitute such names as they may deem proper, and that the names so substituted shall be legally held as the names of said streets, after the publication thereof. Names of streets in Parkersburg.

CHAP. 19.—An ACT making an appropriation to the West  
Virginia Hospital for the Insane.

Passed February 10, 1866.

Be it enacted by the Legislature of West Virginia:

The sum of three thousand dollars is hereby appropriated, to be applied to the payment of the current expenses of the West Virginia hospital for the insane, for the year eighteen hundred and sixty-six. And the same shall be paid by the auditor on the draft of the treasurer Appropriation.

How paid.

of said hospital, endorsed by the president of the board of directors thereof; anything in the eighty-fifth chapter of the code of Virginia, second edition, notwithstanding.

CHAP. 20.—An ACT for the relief of William E. Lyon.

Passed February 12, 1866.

Be it enacted by the Legislature of West Virginia :

Erection of  
dam authorized.

1. It shall be lawful for William E. Lyon, his heirs or assigns, to erect and continue a mill dam across Ten Mile creek, on his land in Harrison county, at or near where a dam was erected by Charles Gain, which dam was erected by the authority of the county court of Harrison county, under its order made on the ninth day of September, eighteen hundred and fifty-two, which order was made upon the return of a jury of inquest, in pursuance of a writ of *ad quod damnum*, sued out of the clerk's office of said court at the instance of said Gain. The said dam shall be, in all respects, like the one which the said Gain was allowed to erect, under the said order.

2. Nothing in this act shall be so construed as to authorize said Lyon, or any person under him, to obstruct the navigation, or the passage of fish, to a greater extent than the same was obstructed by the former dam, erected by said Gain.

CHAP. 21.—An ACT to regulate the salary of the reporter of the Supreme Court of Appeals.

Passed February 12, 1866.

Be it enacted by the Legislature of West Virginia :

Salary fixed.

The reporter for the supreme court of appeals shall receive one thousand dollars annually, after the first day of January, eighteen hundred and sixty-six, to be paid quarterly, out of the treasury of the state, as other salaries are paid.

CHAP. 22.—An ACT to incorporate the Wheeling Iron Works and Glenn's Run Turnpike Company.

Passed February 12, 1866.

Be it enacted by the Legislature of West Virginia :

Capital stock.

1. It shall be lawful to open books for receiving subscriptions to an amount not exceeding fifteen thousand dollars, divided into shares of twenty-five dollars each, to constitute a joint capital stock for constructing a turnpike road from the Wheeling Iron Works, north of the city of Wheeling, to Glenn's Run, in Ohio county and state of West Virginia, to be located on or near the track of the road surveyed by order of the said Ohio county, through the lands of the late Andrew P. Woods and others, and on record in the said county, by and with the consent of the supervisors of the said county. The said books shall

Location of road

be opened under the direction of Robert Crangle, George T. Tingle, Joseph Bell, Alexander M. Jacob and David Garden, or any two of them, for the purpose of receiving subscriptions, and when two thousand dollars shall have been subscribed by responsible persons, *bona fide*, then the said subscribers shall be incorporated by the name of the Wheeling Iron Works and Glenn's Run turnpike company. Corporators.

2. Said turnpike road shall be opened not less than twenty-seven feet wide: provided, the said company shall not be compelled to pave or gravel the side-walks of the said road, and said company may cover the said road with such material as may be ordered by the directors of the same; but said corporation shall be subject to the provisions of the code in relation to turnpike companies. Width of road.

3. The said corporation shall elect a board of directors for the management of the affairs of the said road, and make such by-laws and regulations as may be necessary for the government of the same. Directors.

4. The said corporation may erect a gate on said road, one mile above the ferry known as the Martinsville ferry, and may charge and collect tolls thereon allowed by law, and said tolls shall be applied first to keeping the road in good repair, before any dividend shall be made to the stockholders. Tollgate.

CHAP. 23.—An ACT to alter the terms of the Circuit Courts in the Ninth Circuit.

Passed February 12, 1866.

Be it enacted by the Legislature of West Virginia:

The commencement of the terms of the circuit courts in the several counties of the ninth circuit, instead of being as heretofore prescribed by law, shall be as follows:

For the county of Pocahontas, on the first day of April, June, September and November. Pocahontas.

For the county of Greenbrier, on the eighth day of April, June, September and November. Greenbrier.

For the county of Monroe, on the nineteenth day of April, June, September and November. Monroe.

For the county of Mercer, on the first day of March, May, October and December. Mercer.

For the county of McDowell, on the eighth day of March, May, October and December. McDowell.

CHAP. 24.—An ACT to legalize marriages celebrated during the rebellion.

Passed February 12, 1866.

Be it enacted by the Legislature of West Virginia:

No marriage celebrated within the limits of this state between the seventeenth day of April, eighteen hundred and sixty-one, and the first day of January, eighteen hundred and sixty-six, shall be void by Marriages without license legalized.

reason of the same having been solemnized without the license required by section seven, chapter one hundred and eight, of the code of Virginia, second edition.

CHAP. 25.—An ACT to repeal the acts giving the Courts of Doddridge and Ritchie jurisdiction in cases arising in Gilmer or Calhoun.

Passed February 13, 1866.

Be it enacted by the Legislature of West Virginia :

Calhoun and  
Ritchie.

The act passed August fifth, eighteen hundred and sixty-three, entitled "An act to authorize suits in Ritchie county in cases heretofore cognizable in the courts of Calhoun county," and so much of the act passed October fifteenth, eighteen hundred and sixty-three, entitled "An act to authorize suits to be brought in the county of Kanawha, Lewis, Doddridge or Jackson in cases heretofore cognizable in certain other counties," as authorizes suits to be brought in Doddridge county against persons in Gilmer county, are hereby repealed.

Gilmer and  
Doddridge.

CHAP. 26.—An ACT to amend Section 34, of Chapter 118, of the Acts of 1863.

Passed February 13, 1866.

Be it enacted by the Legislature of West Virginia :

Section thirty-four of chapter one hundred and eighteen of the acts of eighteen hundred and sixty-three, is amended and re-enacted so as to read as follows :

Assesment of  
buildings.

When reduced.

How corrected.

Penalty.

"34. When any building which may have been assessed shall become reduced in value one hundred dollars or more, the assessor shall deduct the amount of such reduction from the value of the building assessed against the owner, and where any building shall be either wholly destroyed or reduced to less than one hundred dollars in value, the assessor shall deduct from said assessment the amount for which such building was assessed. If the owner of any building so assessed shall feel himself aggrieved thereby, he may within twelve months after such assessment, apply to the board of supervisors of his county to have the same corrected, but he shall, before such application is made, give notice thereof in writing, to the prosecuting attorney, whose duty it shall be to attend to the interests of the state and county therein. A copy of all orders made by the board of supervisors changing the assessed value of any real estate shall be certified by the clerk of such board to the auditor and the assessor in whose district such real estate is situated. For any failure on the part of the assessor to comply with this or any of the three next preceding sections he shall forfeit fifty dollars."



CHAP. 27.—An ACT prescribing how the general School-Fund shall be apportioned to certain Counties in the year 1866.

Passed February 13, 1866.

Be it enacted by the Legislature of West Virginia :

1. The auditor, in the next apportionment of the general school fund, shall apportion to the counties of Putnam, Pleasants, Wirt, Wood, Monongalia, Randolph, and Gilmer, in addition to their share of such fund this year, such portion thereof as they would have been entitled to receive in the year eighteen hundred and sixty-five, had they then made full returns of the number of school children in their respective counties. Such apportionment shall be made upon the enrollment of the present year.

Counties named.

Basis of apportionment.

2. The superintendents of the counties aforesaid are hereby required to apportion to such townships in their counties, in addition to their share of the school fund this year, such portion as they would have been entitled to receive in eighteen hundred and sixty-five, had they made return according to law.

Duty of county superintendents.

CHAP. 28.—An ACT amending Section 94, Chapter 118, of the Acts of 1863.

Passed February 14, 1866.

Be it enacted by the Legislature of West Virginia :

That section ninety-four of an act entitled "an act to provide for the assessment of taxes," passed December third, eighteen hundred and sixty-three, be amended and re-enacted so as to read as follows :

"94. Every assessor shall be entitled to receive in consideration of his services, to be paid out of the county treasury as other claims against the county are paid, a commission of three per centum on the amount of taxes lawfully assessed by him on persons and property within the preceding twelve months. But where taxes on persons and property assessed in any district in a county exceed twenty thousand dollars, the commission allowed on the excess shall be two per centum, and where the said taxes assessed in any district in a city or town exceed sixteen thousand dollars, the commission allowed on the excess shall be one and one-half per centum."

Assessors' commissions.

CHAP. 29.—An ACT establishing the County of Grant out of a part of the County of Hardy.

Passed February 14, 1866.

Be it enacted by the Legislature of West Virginia :

1. So much of the county of Hardy as is included within the following boundary lines, to-wit: Beginning at Fairfax Stone, at the junction of the line between West Virginia and Maryland, corner to

Boundaries of Grant county.

said county of Hardy, and with the said boundary line down the north branch of the Potomac to the Hampshire (now Mineral) and Hardy countyline; then with the said line southeastward crossing Patterson's creek mountain, and thence running the division line between the proposed new county and Hardy county, southward along the top of mountain to the gap below the mouth of Luney's creek, thence with a straight line to the top of Elkhorn Rock, thence along the top of the mountain range which divides the waters of south Mill creek from those of the South Fork to the Hardy and Pendleton county line, thence with the latter northwestward to the Hardy and Tucker county lines, and with latter to the beginning, shall form one distinct and new county, which shall be called and known by the name of Grant county.

Township  
officers.

2. All township officers within the bounds of the said new county, at the date of the passage of this act, shall remain in office for and during the terms for which they have been elected, and until their successors shall be elected and qualified according to law. The supervisors of the several townships within the said new county, in office as aforesaid, shall constitute the board of supervisors of the said county of Grant until their successors are elected and qualified as aforesaid, and shall have all the powers and perform all the duties vested in and imposed by law upon other boards of supervisors.

Board of super-  
visors.

County seat.

3. The county seat of the said new county shall be at or near John May's, on the north fork of Luney's creek, and the board of supervisors of said new county shall proceed as soon as practicable after the passage of this act, to provide a suitable court house and other public buildings for the said county in the manner required by the seventh section of the act passed October twenty-first, eighteen hundred and sixty-three, entitled "an act defining in part the powers and duties of the several counties of the state."

County officers.

4. The judge of the circuit court of the said new county shall as soon after the passage of this act as practicable, appoint a clerk for the said court, and a prosecuting attorney and sheriff for said county, who shall hold their offices until the first day of January, eighteen hundred and sixty-seven, and until their successors shall be elected and qualified according to law.

Judicial circuit,  
&c.

5. The said new county shall be attached to the same judicial circuit and the same congressional and senatorial districts with the said county of Hardy.

Delegate.

6. The said new county and the said county of Hardy shall together form the seventh delegate district, and elect one delegate to the house of delegates, until a new apportionment of representation therein shall be made, as provided in the constitution of this state.

Execution of  
process, &c.

7. All process issued in the said county of Hardy before the organization of the said new county, and all public dues and officers' fees which may remain unpaid by the citizens of the said new county,

shall be executed, returned, collected and accounted for by the sheriff or other officer in whose hands the same may have been placed, in the same manner as if this act had not been passed.

8. The courts of the said county of Hardy shall retain jurisdiction over all actions, suits and proceedings therein pending at the passage of this act, and shall try and determine the same, and award execution or other process thereon, except in cases in which both parties reside in the said new county, which last mentioned cases, together with the papers and transcript of the record of the proceedings therein had, shall after that day, if either party so desire, be removed to the courts of the said new county, and there tried and determined as other cases.

Jurisdiction of  
Hardy courts.

CHAP. 30.—An ACT in relation to the oaths of Attorneys at Law.

Passed February 14, 1866.

Be it enacted by the Legislature of West Virginia :

No attorney at law shall be allowed to practice in any court, or before any justice or board of supervisors, of this state, after the passage of this act, until he shall take, in the court in which he proposes to practice, in addition to the oaths now required by law, the following oath :

"I, (A. B.,) do solemnly swear that I have not, since the twentieth day of June, eighteen hundred and sixty-three, borne arms against the United States, nor against the state of West Virginia ; that I have voluntarily given no aid or comfort to persons engaged in armed hostility thereto, by countenancing, counseling or encouraging them in the same ; that I have not sought, accepted nor attempted to exercise the functions of any office whatever under any authority in hostility to the United States or to the state of West Virginia ; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto ; and that I take this obligation freely, without any mental reservation or purpose of evasion."

Oath.

CHAP. 31.—An ACT securing Liens to Mechanics, Laborers and others.

Passed February 15, 1866.

Be it enacted by the Legislature of West Virginia :

1. That every mechanic, builder, artisan, workman, laborer or other person, who shall do or perform any work or labor upon, or furnish any material, machinery or fixtures for any building, erection or other improvement upon land, including contractors, subcontractors, material furnishers, mechanics and laborers engaged in the construction of any railroad, or other work of internal improve-

Who shall have  
lien.

ment, or for the work or labor done on any steamboat, or other water craft, or materials furnished for the same, or for the repairing of the same, under and by virtue of any contract with the owner or proprietor thereof, his agent, trustee, contractor or sub-contractor, upon complying with the provisions of this act, shall have for his work or labor done, or materials, machinery or fixtures furnished, a lien upon such building, erection or improvement, and upon the land belonging to such owner or proprietor on which the same is situated, to secure the payment of such work or labor done, or materials, machinery or fixtures furnished.

How sub-contractor may obtain lien.

2. Every sub-contractor, wishing to avail himself of the benefits of this act, shall give notice to the owner or proprietor, or his agent or trustee, before or at the time he furnishes any of the material aforesaid, or performs any of the labor, of his intention to furnish or perform the same, and the probable value thereof; and if afterwards the materials are furnished, or labor done, the sub-contractor shall settle with the contractor therefor, and having made the settlement in writing, the same signed by the contractor and certified by him to be just, shall be presented to the owner or proprietor, or his agent or his trustee, and left with him, and within thirty days from the time the materials shall have been furnished, or the labor performed, the sub-contractor shall file with the recorder of the county in which the building, erection, boat, water craft or other improvement is situated, a copy of the settlement between him and the contractor, which shall be a lien on the building, erection, boat, water craft or other improvement, for which the materials were furnished, or for which the labor was performed, and shall at the same time file a correct description of the property to be charged with the lien, the correctness of which shall be verified by affidavit.

Copy of settlement with contractor to be filed.

Refusal of contractor to settle.

3. If the contractor shall for any reason fail or refuse to make and sign such settlement in writing with the sub-contractor, when the same is demanded, then the sub-contractor shall make a just and true statement of the work and labor done, or materials furnished by him, giving all credits, which he shall present to the owner or proprietor, or his agent or trustee, and shall also, within thirty days, file a copy of the same, verified by affidavit, with the recorder of the county in which the building, erection, boat or other improvement may be situated, together with a correct description of the property to be charged with the lien.

Employer the surety of the contractor.

4. The certificate of settlement made as aforesaid, or the statement of the sub-contractor, shall be a justification to the employer in withholding from the contractor the amount appearing thereby to be due to the sub-contractor, until he is satisfied that the same has been paid, and the employer shall become the surety of the contractor to the sub-contractor for the amount due for such work and labor or materials furnished, not, however, exceeding the value thereof, as notified under section second.

5. The notices mentioned shall be served as other notices are Notices directed to be served.

6. It shall be the duty of every person, except as has been provided for sub-contractors, who wishes to avail himself of the provisions of this act, to file with the recorder of the county in which the building, erection, or other improvement to be charged with lien is situated, and within ninety days after the materials aforesaid shall have been furnished, or the work and labor done or performed, a just and true account of the demand due or owing to him, after allowing all credits, and containing a correct description of the property to be charged with said lien, and testified by affidavit. How others may obtain lien.

7. It shall be the duty of the recorder of the county to endorse upon every account the date of filing, and record the same in a book by him to be kept for that purpose, to be called "the mechanics' lien record," properly indexed, and he shall state the time of the filing of the same, the description of the property to be charged by the said lien, and shall, when duly required, enter satisfaction on the same, for which said recorder shall receive in each case the sum of one dollar, to be paid by the person imposing the lien, which shall be taxed and collected as other costs, in case there be a suit thereon. Duty of recorder  
Fec.

8. Where there are several contractors under the same employer, for the building or erection, or other improvement, or for work or labor, or for materials furnished for the same erection or improvement, where the work, labor and materials are necessary towards the completion of the same, the said several lienors shall have no priority of lien for such work and labor or materials furnished, and if the said structure and the ground on which the same is situated, be not sufficient to pay the expense of the whole structure, the said laborers and material men shall be paid *pro rata*. No priority of lien.

9. The entire land upon which any such building, erection or other improvement is situated, including as well that part of said land which is not covered with such building, erection or other improvement, shall be subject to all liens created by this act, to the extent, and only to the extent, of all the right, title and interest, owned therein by the owner or proprietor of such building, erection or other improvement, for whose immediate use or benefit such labor was done, or materials were furnished; and when the interest owned in said land, by such owner or proprietor of such building, erection or other improvement is only lease-hold interest, the forfeiture of such lease for the non-payment of rent, or for non-compliance with any other stipulations therein, shall not forfeit or impair such liens, so far as it concerns the building, erection and improvement thereon, put by such owner or proprietor, charged with such lien, but such building, erection or improvement may be sold to satisfy such lien, and be moved within thirty days after such sale by the undertaker. How far land subject to mechanic's lien.

10. The lien for materials aforesaid, or work, shall attach to the building, erection or improvement, for which they were furnished, or

Mechanic's lien on building preferred to lien on land.

the work was done, in preference to any prior lien or incumbrance, or mortgage or deed of trust, upon the land upon which said building, erection or improvement has been erected or put; and any person enforcing such lien, may have such building, erection or improvement sold, and the purchaser may remove the same within a reasonable time thereafter.

How lien may be enforced.

11. Any person having a lien under, or by virtue of this act, may file a bill in chancery to enforce the same; and any other person having a lien thereon, may file his petition in the said case and be made defendant therein, and make his claim in the same manner as though he had been plaintiff in the case, according to the practice in courts of chancery.

Death of parties to suit.

12. In case of death of any of the parties, whether before or after suit, the personal representative of such deceased party shall be made the plaintiff or defendant, as the case may require.

Who are sub-contractors.

13. All persons furnishing materials or doing work provided for by this act, shall be considered sub-contractors, except such as have contracted therefor singly with the owner, proprietor, his agent or trustee.

Lien not to exceed original contract.

14. Nothing herein contained shall be so construed as to give a sub-contractor or laborer a lien for any amount greater than that originally contracted for between the employer and contractor.

Persons taking collateral security not entitled to lien.

15. No person who shall take collateral security for the payment of the money for any structure, shall be entitled to the lien provided in this act, but the taking the note or bill of exchange of the party liable shall not be construed such security.

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CHAP. 32.—An ACT permanently locating the county seat of Jefferson county at Shepherdstown.

Passed February 15, 1866.

Be it enacted by the Legislature of West Virginia :

The county seat of Jefferson county is hereby permanently located at Shepherdstown, in said county.

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CHAP. 33.—An ACT to amend the 21st section of Chapter 131, of the acts of 1863.

Passed February 15, 1866

Be it enacted by the Legislature of West Virginia :

Section twenty-one of chapter one hundred and thirty-one, of the acts of eighteen hundred and sixty-three, is amended and re-enacted so as to read as follows :

“21. The list required by the fourteenth section of this act, to be made out by the sheriff or collector, shall not be allowed unless they

have been first submitted to the assessor for the district to which they relate, or in case of his death or removal, to a commissioner to be appointed by the board of supervisors, and are accompanied by the written opinion of such assessor or commissioner touching the propriety of such lists and each case therein contained, verified by his oath. Copies of the second and third lists heretofore returned, and of the third list mentioned in the said section, when it shall hereafter be allowed, shall be placed by the auditor in the bands of any sheriff or collector of any county for collection. to be returned within one year thereafter, and accounted for as other assessed taxes, or if the auditor see fit he may place such copy in the hands of any constable or collector, who shall have the same power of distress as sheriff or collector, and shall account for the same in like manner, and he and his securities shall be subject to all such remedies as are given to the state against sheriffs for failure to pay; and his compensation shall not exceed twenty per centum of the amount collected and paid into the treasury.''

Regulations  
respecting delin-  
quent lists.

CHAP. 34.—An ACT to protect literary societies and other meetings convened for social amusement.

Passed February 15, 1866.

Be it enacted by the Legislature of West Virginia :

That if any person or persons shall wilfully disturb, molest or interrupt any literary society, school or society formed for intellectual improvement, or any other school or society organized under the laws of this state, or any school, society or meeting formed or convened for improvement in music, either vocal or instrumental, or for any moral and social amusement, the person or persons so offending shall be deemed guilty of a misdemeanor, and, on conviction thereof before any justice of the township wherein the offence was committed, shall be fined in any sum not less than one nor more than ten dollars and costs, and on default of payment shall be imprisoned in the county jail not exceeding ten days, according to the aggravated nature of the offence.

Penalty for  
disturbing  
meetings.

CHAP. 35.—An ACT to change the number of Adelpi Lodge of the Independent Order of Odd Fellows, in the town of Clarksburg.

Passed February 15, 1866.

Be it enacted by the Legislature of West Virginia :

That the act passed April seventh, eighteen hundred and fifty-eight, by the general assembly of Virginia, entitled "an act to incorporate Adelpi Lodge number forty-seven, of the Independent order of Odd Fellows, in the town of Clarksburg," be so amended as to change the number of said Lodge from number forty-seven to number eight.

CHAP. 36.—An ACT to authorize the City Council of Parkersburg to change the location of one of its streets.

Passed February 15, 1866.

Be it enacted by the Legislature of West Virginia :

That the council of the city of Parkersburg be and the same is hereby authorized to change the location of so much of the north-western turnpike as now extends from Julian street to Ann street, in said city, by discontinuing the same and substitute New street for that portion of said turnpike thus discontinued. But this change is not to take place until the consent of the owners of the property on the turnpike discontinued as aforesaid be obtained to the change thereof.

Proviso.

CHAP. 37.—An ACT extending the Charter of the White Sulphur, and Sweet Springs Turnpike Road.

Passed February 16, 1866.

Be it enacted by the Legislature of West Virginia :

1. The charter of the White Sulphur and Sweet Springs Turnpike Road, in the county of Greenbrier, is hereby extended for the additional period of ten years, from and after the termination of the fifteen years extended for the benefit of William A. Mastin, by an act of the general assembly of Virginia, passed March ninth, eighteen hundred and forty-three, entitled "an act authorizing the reconstruction of Sweet Spring and White Sulphur Springs Turnpike Road."

Extended ten years.

2. If said road is allowed to dilapidate and continue out of repair for the space of six months, the said charter shall be deemed to be revoked.

When charter revoked.

CHAP. 38.—An ACT constituting a certain part of the bank of the Ohio River, within Jackson county, a lawful fence.

Passed February 16, 1866.

Be it enacted by the Legislature of West Virginia :

1. So much of the bank of the Ohio river, within the county of Jackson, as is included within the following boundary, to wit: Beginning at Hezekiah Barnes' lower line, thence down said river to the mouth of Glade Run, is hereby declared to be a lawful fence.

Part of bank specified.

2. All acts or parts of acts inconsistent herewith, are hereby repealed.

Commencement. 3. This act shall be and remain in force from and after the first day of June next.



CHAP. 39.—An ACT to prevent and punish the forcible or unlawful obstruction of public justice.

Passed February 17, 1866.

Be it enacted by the Legislature of West Virginia:

1. The circuit courts and the supreme court of appeals of West Virginia are alone authorized to interpret and determine the constitutionality of any act of the legislature of this state. Who to interpret acts.

2. No officer in the lawful exercise or discharge of his official duty under any act of the legislature, or any order or proclamation of the governor of this state, shall be deemed personally responsible therefor (either civilly or criminally) by reason of such act, order or proclamation being afterwards adjudged by any court of this state, to be unconstitutional and void. In what cases officer not responsible.

3. Any officer of this state, whose duty it is to execute or enforce any act of the legislature or any legal process or proceeding arising thereunder, or any lawful order or proclamation of the governor of West Virginia, and who shall wilfully neglect or refuse to execute or enforce the same, shall, for every such offence, be deemed guilty of a misdemeanor, and, upon conviction thereof by a jury, shall be liable to a fine of not less than fifty nor more than five hundred dollars, and to imprisonment in the public jail of the county for not more than one year, at the discretion of the court. Neglect of duty by officer. Penalty.

4. Any person who by threats, menaces, or acts, or otherwise, shall forcibly or illegally hinder, obstruct or oppose, or attempt to obstruct or oppose, or shall counsel or advise others to hinder, obstruct or oppose any officer of this state (whether civil or military) in the lawful exercise or discharge of his official duty, shall for every such offense, be deemed guilty of a misdemeanor, and, on conviction thereof by a jury, shall be liable to a fine of not less than ten nor more than five hundred dollars. *Provided*, That nothing in this act shall be construed as impairing or affecting the right of any party, by proper legal process or proceeding, before any of said courts, or any judge thereof, to question or contest the validity or constitutionality of any act of the legislature, or any process, judgment or proceeding of any court, judge, or other officer of this state, or any order or proclamation of the governor. Resistance to officers. Penalty. Proviso.

CHAP. 40.—An ACT making an appropriation for the Antietam National Cemetery, near Sharpsburg, Maryland.

Passed February 17, 1866.

Be it enacted by the legislature of West Virginia:

1. The sum of sixteen hundred and seventy-two dollars and forty-four cents is hereby appropriated to aid in the purchase, permanent enclosure and adornment of the ground of the Antietam National Cemetery, near Sharpsburg, Maryland. Appropriation.

How paid.

2. The amount hereby appropriated shall be subject to the order of the governor, and the whole or any part thereof may be paid by him if required, for the purpose named in the first section of this act, to the treasurer of the Antietam National Cemetery.

CHAP. 41.—An ACT better to provide for the distribution of the Acts.

Passed February 17, 1866.

Be it enacted by the Legislature of West Virginia :

Recorder to forward list of officers to secretary of the state.

1. The recorder of each county shall, annually, within ten days after the qualification according to law of county and township officers, chosen at the regular elections, evidence of whose qualification is filed in his office, make and transmit to the secretary of the state a certified list of all such officers, setting forth the name and office of each, and the name of the township, in the case of a township office.

Acts to be forwarded to recorder.

2. The acts to which the officers within a county may be entitled shall be forwarded to the recorder thereof, and shall be delivered by him to the several officers entitled to them. The recorder may be required to receipt for said acts, and may require receipts from those to whom he delivers them.

Acts to be property of office.

3. All acts, codes, or other documents furnished to officers by authority of law, shall be the property of the office, and be delivered by each officer to his successor.

CHAP. 42.—An ACT to construct a mill dam across Elk river, at Sutton, Braxton county.

Passed February 17, 1866.

Be it enacted by the legislature of West Virginia :

Dam authorized.

1. Charles Frame and James A. Boggs are hereby permitted to construct a saw and grist mill dam, five feet high, across Elk river, at the town of Sutton, Braxton county, and to be restricted as follows: The slope in said dam to be not less than thirty feet wide and forty feet long, and the residue of the said dam to be six inches higher than the crest of the slope.

Restrictions.

Damages.

2. The said Charles Frame and James A. Boggs, as well as their successors, shall be held responsible for any damages resulting from a failure to build said dam as directed in the first section of this act.

CHAP. 43.—An ACT for the relief of St. Clair Rains, of Kanawha County.

Passed February 17, 1866.

Be it enacted by the Legislature of West Virginia :

The auditor is hereby authorized to issue his warrant upon the treasury for one hundred and three dollars and eighty cents, in favor

of St. Clair Rains, of Kanawha county, for services rendered and expenses incurred in arresting George W. Bragg and others, and conveying the same from Kanawha county to Cabell county, for trial.

Auditor to issue warrant.

CHAP. 44.—An ACT to repeal Sections 22 and 23 of Chapter 163 of the Code of Virginia, second edition.

Passed February 17, 1866.

Be it enacted by the Legislature of West Virginia:

Sections twenty-two and twenty-three of chapter one hundred and sixty-three of the code of Virginia, second edition, are hereby repealed.

CHAP. 45.—An ACT to provide a penitentiary for the State.

Passed February 19, 1866.

Be it enacted by the Legislature of West Virginia:

1. The board of public works is authorized and required to select and locate a site for a penitentiary in or near Moundsville, in the county of Marshall, and purchase ground for that purpose, in the name of the state, not less than ten acres.

Duty of board of public works.

2. The said board of public works shall appoint a board of directors, consisting of five persons, a majority of whom shall be a quorum, who shall adopt such plan for laying out and enclosing said grounds, and for the erection of necessary buildings thereon, as to it shall seem best, and may appoint a superintendent over the same and order that the state convicts shall be placed at work thereon, under proper guards. The board of directors may direct the superintendent to employ such workmen as may be necessary to carry on the work. The compensation of the superintendent shall be fixed by the said board of directors.

Board of directors.

Superintendent.

3. The said board of public works shall report its proceedings herein to the next session of the legislature, and the said board of directors shall, before the meeting of the next legislature, make a full report of its proceedings up to the first day of January next, to the governor, to be by him laid before the next legislature.

Reports of boards.

4. The directors shall receive each the sum of three dollars per day, and their necessary traveling expenses, for every day necessarily spent by them on the board of directors.

Pay of directors.

5. The sum of fifty thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, to the purposes of this act, on the order of the said board of directors.

Appropriation.

CHAP. 46.—An ACT to ratify on certain terms, the act of the General Assembly of Virginia, passed February 3, 1866, relating to the Virginia Canal-Company.

Passed February 20, 1866.

Be it enacted by the Legislature of West Virginia :

Assent to  
Virginia act.

1. The assent of the legislature of West Virginia is hereby given to the act of the general assembly of Virginia, passed February third, eighteen hundred and sixty-six, entitled "An act to amend and re-enact the act entitled 'An act to incorporate the Virginia Canal Company, and to transfer the rights and franchises of the James River and Kanawha company thereto,' passed March twenty-ninth, eighteen hundred and sixty-one," and the said Virginia Canal company, when organized pursuant to the above mentioned act of the general assembly of Virginia, passed February third, eighteen hundred and sixty-six, shall be a body corporate of and in this state, for the purposes, with the powers, rights and franchises, and subject to the obligations, restrictions and limitations, set forth in the last mentioned act, so far as the same is applicable to their contemplated line within this state; but subject nevertheless to the exceptions and provisions hereinafter contained.

Company  
incorporated.

The Virginia  
Canal Company,

2. Notwithstanding anything to the contrary contained in the fifth section of the first chapter of the aforesaid act of February third, eighteen hundred and sixty-six, the Virginia Canal company, after being organized as aforesaid, and after paying to this state the amount, not exceeding six thousand dollars with interest from January first, eighteen hundred and sixty-six, of eight per cent bonds heretofore sold and applied to the Kanawha improvement, and making provision to the satisfaction of the board of public works of this state, for the payment of the floating debt incurred by the Kanawha board, on account of said improvement, not exceeding ten thousand dollars, shall be entitled to take possession of the said Kanawha improvement, and shall be invested with all the rights, powers, franchises and privileges of the James river and Kanawha company, in and to the Kanawha river; and the mortgage or deed of trust heretofore given to secure the said eight per cent bonds shall be released, and the Kanawha board shall thenceforth cease to exist.

on certain  
conditions,

to take posses-  
sion of the  
Kanawha  
improvement.

Two directors to  
be appointed by  
this state.

3. Two of the board of directors for the management of the affairs of the Virginia canal company shall be appointed by the board of public works of this state, or in such other manner for and on behalf of this state as the legislature thereof shall prescribe; and any vacancy that may occur in the office of director for this state shall be filled in like manner.

What improve-  
ment required.

4. The third section of the fifth chapter of the aforesaid act of February third, eighteen hundred and sixty-six, shall be amended and re-enacted so as to read as follows: 'The Virginia canal company are required to improve the Kanawha river from Lykens' Shoals to its mouth, in such manner and upon such plan, except locks and dams,

as they may adopt, so as to secure a depth of water of not less than five feet, from the fifteenth of October to the fifteenth of June, and three and one-half feet from the fifteenth of June to the fifteenth of October; the channel through the shoals to be not less than one hundred and five feet wide at the bottom and one hundred and twenty-five feet wide at the top. And after the line of improvement of the said company shall be completed, as herein provided, from Richmond to Lykens' Shoals, the depth of water in the said channels shall be increased to not less than four and one-half feet throughout the entire year, whenever the general assembly of Virginia, or legislature of this state, shall so prescribe.

Depth of water in channels.

5. So much of the sixth section of the sixth chapter of said act as authorizes an increased toll to be demanded on way trade, shall not be deemed applicable to the Kanawha river, from Loup creek to Point Pleasant, but the tolls on that part of said river shall be computed and regulated according to the through rates which may from time to time be established under and pursuant to said act.

Tolls on the Kanawha river.

6. All rights and powers reserved by the said act to the general assembly, executive, judiciary or board of public works of Virginia, shall, so far as concerns the works, property and acts of the Virginia canal company, its officers and agents, within this state, be vested in and exercised by the legislature, executive, judiciary and board of public works of this state, respectively. And the appointment of the President of the said company shall be subject to the approval of the Governor of this state, in like manner in all respects as the same is by the said act made subject to the approval of the Governor of Virginia. Any proceedings directed by the aforesaid act of February third, eighteen hundred and sixty-six, to be taken or had before, or returned to, the county court, shall be taken or had before, or returned to, the circuit court for the county; and any proceedings which may be instituted against the said company in this state, under the second section of the tenth chapter of said act, shall be by motion, in the circuit court for the county in which the seat of government of this state may at the time be located, but in other respects shall be had conformably to the last mentioned section.

Rights and powers vested in this state.

Appointment of President.

Proceedings in court.

7. No troops or persons in the military or naval service of any state shall be transported over the line of said works without the consent of the governor of this state; but troops or persons in the military or naval service of the United States, their arms, munitions and baggage, shall nevertheless be transported over said line according to the provisions of the twenty-sixth section of the sixth chapter of said act.

Transportation of troops.

8. Nothing contained in the seventh section of the eighth chapter of said act shall be construed as exempting any property, real or personal, in this state, belonging to any officer, contractor, agent, laborer, hireling or hand employed by the Virginia canal company, or engaged at work upon the line of their works, from the taxes or contributions to which property in this state belonging to other persons is or shall be subject.

Taxation of employees' property.

Attorney for  
company.

9. The Virginia canal company shall, by power of attorney, to be acknowledged and authenticated in the mode prescribed by law for deeds conveying land, and to be filed in the office of the secretary of the state, appoint some person residing in this state their attorney to accept service of all process and notices which may be issued in any suit or motion against the said company that may be instituted in this state for any cause of action arising therein; and so from time to time whenever there shall be no such attorney, either by reason of his death, revocation of the appointment or otherwise, shall renew such appointment. Service of process or notice upon any such attorney in any suit or motion instituted as aforesaid, shall be equivalent to service upon the Virginia canal company; and a copy of the power of attorney, certified by the secretary of the state under his hand, shall be evidence of the execution and contents thereof.

CHAP. 47.—An ACT amending the Charter of the Town of  
Martinsburg.

Passed February 20, 1866.

Be it enacted by the Legislature of West Virginia:

That the fifth section of an act entitled "an act to provide for the election of mayor and common council and other officers of the town of Martinsburg, and to define their duties and powers," passed March sixth, eighteen hundred and fifty-six, be amended and re-enacted so as to read as follows:

Powers of  
council.

"5. For the purpose of improving the streets, and maintaining a sufficient police; of providing for the furnishing of the said town with water, and for lighting the streets and supplying the town with gas; and for the erecting of any building, water works, gas works, or any improvement of a general nature, and for carrying out the powers conferred by section twenty-five of chapter fifty-four of the code of Virginia, second edition, the council may levy and collect annually a tax on all the real and personal property within the corporation not exempt by law from taxation by the laws of this state. Provided, that the assessment and taxes aforesaid shall not exceed six mills on the dollar of the amount of property subject to taxation, as may appear by the books of the assessor of Berkeley county, or in any other manner. Provided, that no tax shall be levied for an amount exceeding three mills on the dollar of the amount of such taxable property, unless by consent of a majority of the freeholders, qualified to vote for members of the council, which consent shall be ascertained by holding a poll at such place as may be prescribed by ordinance, after giving not less than two weeks notice thereof in one or more newspapers published in said town. The result shall be determined by the face of the poll books, reserving the right to the council to examine and purge the poll books of any illegal votes.

The council may, when anything for which a license is required by chapter one hundred and thirteen, of the acts of the legislature of

West Virginia, passed at its first session, is to be done within the town, impose a tax for the privilege of doing the same, and require a license to be obtained therefor from said council, and may, in any case in which it sees fit, require from the person licensed, bond, with sureties, in such penalty and with such consideration as it may deem proper.

CHAP. 48.—An ACT to legalize the Poor Tax levied by the County Court of Berkeley County, in the year 1863.

Passed February 20, 1866.

Be it enacted by the Legislature of West Virginia:

That the poor tax levied in the year eighteen hundred and sixty-three, in the county of Berkeley, by the court of said county, be and is hereby legalized; and that the sheriff of Berkeley county be authorized to collect and pay over to the treasurer of said county that portion of the said tax remaining unpaid.

Tax legalized.

How collected.

CHAP. 49.—An ACT to amend and re-enact the act regulating allowances to county officers.

Passed February 20, 1866.

Be it enacted by the Legislature of West Virginia:

1. The "Act fixing the limits for allowances to county officers," passed November seventh, eighteen hundred and sixty-three, is hereby amended and re-enacted so as to read as follows:

"The following named county officers shall be allowed, annually, by the boards of supervisors of their respective counties for their public services, (for which no other fee or reward is allowed by law,) to be paid out of the county treasury, such sums as the said boards deem reasonable, to-wit: prosecuting attorneys, not less than one hundred, or more than six hundred dollars; sheriffs, not less than fifty, or more than two hundred dollars; clerks of boards of supervisors, not less than fifty, or more than six hundred dollars; clerks of circuit courts, not less than fifty, or more than two hundred dollars; recorders, not less than twenty-five, or more than one hundred dollars; and jailors, not less than thirty, or more than sixty dollars; except that the prosecuting attorney for the circuit court of Ohio county, shall be allowed, annually, not less than six hundred, or more than twelve hundred dollars."

Allowances to be made by board of supervisors.

Limits.

2. The act passed March third, eighteen hundred and sixty-four, entitled "An act to regulate allowances to recorders," is hereby repealed.

Law repealed.

CHAP. 50.—An ACT relating to suits brought against Supervisors and Inspectors of Elections, and providing for the payment of their costs in defending the same.

Passed February 20, 1866.

Be it enacted by the Legislature of West Virginia :

Employment of  
counsel.

1. That where suits have been or may be brought against the supervisors and inspectors of elections, by reason of the enforcement of the provisions of chapter fifty-six of the acts of eighteen hundred and sixty-five, the said supervisors and inspectors may employ counsel to defend their interests in the same. For services thus rendered the counsel so employed shall receive such reasonable compensation as the board of supervisors of the county in which the suit is brought may allow. A copy of the order making the allowance shall be certified to the auditor by the clerk of the board of supervisors making the same, on the receipt of which the auditor shall issue his warrant upon the treasurer for the payment of the same.

Compensation.

How paid.

Costs of suit.

2. The said supervisors and inspectors of elections may present to the circuit court for the county in which such suit may be brought, an account of all proper legal costs incurred by them in defending the same, accompanied by the proper vouchers, which, if found correct, shall be allowed by the court, and a copy of the order making the allowances shall be certified to the auditor, who shall thereupon issue his warrant for the amount.

How paid.

CHAP. 51.—An ACT to provide for a re-assessment of the value of all the real estate within this State.

Passed February 21, 1866.

Be it enacted by the Legislature of West Virginia :

Appointment of  
commissioner.

1. The board of supervisors of the several counties of this state shall meet at the hour of ten in the forenoon, on the twentieth day of July, eighteen hundred and sixty-six, appoint one commissioner for each assessor's district within their respective counties, and on their failure to do so, the judge of the circuit court shall make the appointment, whose duty it shall be to re-assess the value of all the real estate within the district for which he is appointed, and who shall be a resident therein, a discreet freeholder and otherwise suitable person.

Commissioner's  
bond and oaths.

2. Each commissioner so appointed shall within thirty days thereafter, execute a bond in the penalty of five thousand dollars conditioned for the faithful discharge of his duties, with security to be approved by the recorder of his county, and shall take the several oaths prescribed by law. The bond and oaths shall be filed in the office of said recorder, who shall certify a copy of the bond with the approval thereon, to the auditor within ten days thereafter. If, however, from any cause, the commissioner so appointed should fail to qualify within the time prescribed, the president of the board of supervisors

Failure to  
qualify.



shall, immediately after such failure, call a meeting of said board, who shall appoint another commissioner in his stead, who shall at once give bond and qualify, and enter upon the discharge of the duties of his office.

3. The auditor shall, as soon as practicable, after receiving official information of such appointment, cause to be forwarded to each commissioner (in the care of the recorder of his county,) two books ruled in form similar to that of the assessor's land book, except as to the column for extending the tax, which may be omitted. He shall, at the same time, and in the same manner, furnish each commissioner with printed instructions prescribing in detail the manner in which they are to arrive at a proper valuation of the real estate, and in which the same shall be entered on said books.

Auditor to furnish books and instructions.

4. Each commissioner so appointed and qualified, shall as soon as practicable, after receiving the books and instructions to be furnished by the auditor as aforesaid, proceed to examine all the tracts of land and town lots, with the buildings and improvements thereon, within his district, and shall upon such examination ascertain and assess the fair cash value thereof in current money. To assist him in ascertaining the said lands and town lots, he shall obtain from the clerk of the board of supervisors the land book of the district he is to assess, made for the year eighteen hundred and sixty-six, where that is practicable, or if in any county or district there be no land book for that year, then for the last year for which such book may have been made. If in any county or district there shall be no land book, then he shall proceed upon the best information he can obtain, under instructions from the auditor.

Duty of commissioner.

Use of land book.

5. Each commissioner shall carry with him the aforesaid assessor's land book, and the entries of lands or town lots charged to any person resident or having an agent in his district, shall be shown to said person or his agent, who shall be required to state on oath whether the same be correctly entered; also, whether any other lands or lots within the district ought to be charged to such resident or non-resident. For this purpose the said commissioner is authorized to administer all proper oaths. Any person refusing to give such information shall be fined not less than twenty nor more than one hundred dollars.

Duty of Commissioner.

6. Each commissioner, as soon as he shall have completed the assessment in his district, shall make two copies thereof in the books to be furnished him under the provisions of section three of this act, and shall take and subscribe an oath to the following effect: "I, —, a commissioner appointed by the board of supervisors of — county, (or judge of the circuit, as the case may be,) to ascertain and assess the value of the real estate in the (— district of) said county, do solemnly swear that I have diligently endeavored to ascertain all the tracts of land and town lots properly chargeable in my district, and have entered the same on the foregoing book; that I have assessed

Copies of assessment.

Commissioner's oath.

the value of the same, with the improvements thereon, at a fair cash value, and have shown no partiality or favor, and that in making out said books I have followed the law and instructions provided for making said assessment, so help me God." Which oath may be taken and subscribed before any person authorized to administer oaths, and a copy thereof shall be subjoined to each of said books, one of which the said commissioner shall file with the clerk of the board of supervisors of his county, which shall be a guide for the assessor in making out his land book for the following year. The other he shall transmit to the auditor, on or before the first day of December next after the passage of this act.

How to dispose  
of books.

How assessment  
may be corrected

7. Any person feeling himself aggrieved by the assessment of his lands or lots, made under the provisions of this act, may, within one year after the verification of said commissioner's books, apply by himself or his agent to the board of supervisors of his county for redress. But before making such application, he shall give notice in writing to the prosecuting attorney of such county, that he will at the next meeting of the board of supervisors, apply to have such assessment corrected. Appended to such notice shall be an affidavit to the effect that in his opinion the assessment of his lands or lots is above their true value, or erroneous as to quantity. It shall be the duty of the prosecuting attorney, in all such cases, to attend to the interests of the state and county. If, upon hearing all the evidence, the board of supervisors shall be satisfied that the assessment on the property is too high, they shall reduce the same to its proper value, or if they shall be of opinion that the same is too low, they shall increase the valuation in like manner, and correct mistakes as to quantity of land assessed. A copy of all orders made on such application, shall be certified to the auditor, and a like copy to the assessor of such district. Such applications shall have precedence of all other business before the board of supervisors.

Duty of board of  
supervisors.

Pay of com-  
missioner.

8. For services rendered under this act, in making said assessment and books, the commissioner shall be allowed the sum of three dollars for each day actually and diligently so employed, with the expense incurred by him in returning a copy of said book to the auditor, to be paid out of the state treasury. But such payment shall not be made except upon an account verified by the affidavit of the said commissioner, and approved by the board of supervisors of his county.

Penalty for neg-  
lect of duty.

9. Any officer who shall fail to perform any of the duties enjoined upon him by this act, shall, for every such failure, forfeit not less than twenty nor more than one hundred dollars.

CHAP. 52.—An ACT to relinquish to the Maryland and Virginia Bridge Company the stock in said company belonging to the State.

Passed February 21, 1866,

Be it enacted by the Legislature of West Virginia :

The interest or stock of this state in the Maryland and Virginia Bridge Company is hereby relinquished to the said bridge company, for the benefit of the stockholders thereof, other than the state ; provided, that this act shall be of no effect until the said bridge company shall cause to be erected across the Potomac river, at Shepherdstown, a bridge suitable for passengers and wagons : provided, however, that if the state, by her legislature, shall at any time before the said bridge company shall have completed a bridge upon the piers and abutments owned by them, appropriate, on the part of the state, an amount toward the erection of the said bridge, proportionate to her interest in the same, then the interest so relinquished shall revert and become the property of the state, as though this act had not been passed : provided further that said company shall so far complete said bridge by the first day of June, eighteen hundred and sixty-seven, as to admit of the passage of wagons over the same.

Relinquishment.

Conditions.

CHAP. 53.—An ACT to amend Section 12 of Chapter 80 of the Acts of 1865.

Passed February 22, 1866.

Be it enacted by the Legislature of West Virginia :

The last sentence of section twelve of chapter eighty of the acts of eighteen hundred and sixty-five, is amended and re-enacted so as to read as follows ; "Certificates of the said oaths or affirmations shall be filed with the recorder, and the fact of their administration be stated in the journal of the proceedings of the council."

Oaths of officers of Fairmont.

CHAP. 54.—An ACT to transfer certain lands in Ohio County to the Boards of Education of certain Townships therein.

Passed February 22, 1866.

Be it enacted by the Legislature of West Virginia :

That all parcels of land within the townships of Ritchie, Triadelphia, Liberty and Richland, in the county of Ohio, which have heretofore been conveyed to the school commissioners of Ohio county, as sites for public schools, and all real and personal property held by said school commissioners, for school purposes within said townships, shall be deemed to be vested in the boards of education for the respective townships where such property is located.

## CHAP. 55.—AN ACT in relation to actions of detinue.

Passed February 22, 1866.

Be it enacted by the Legislature of West Virginia :

How plaintiff  
may obtain im-  
mediate posses-  
sion of property.

1. If the plaintiff in an action of detinue shall desire to have immediate possession of the property for the recovery of which such action is brought, he may at the commencement of the action, or at any time after, and before judgment, file with the clerk of the court, in which the action is brought, in a justice's court, with the justice before whom the same is brought or is pending, an affidavit, stating the kind, quantity and value of the property claimed by the plaintiff in such action, and that the affiant verily believes the plaintiff is entitled to recover the same therein. He shall, also, in such case, execute a bond with good security, to be approved by the clerk or justice, in a penalty at least double the value of the property claimed, payable to the defendant with condition to pay all costs and damages which may be awarded against him, or sustained by any person by reason of such suit, and to have the property so claimed forthcoming to answer any judgment or order of the court or justice respecting the same, and shall file such bond with the clerk or justice.

Plaintiff's bond.

Order for seizure  
of property.

2. If such affidavit and bond be filed at the commencement of the action, the clerk or justice shall endorse on the summons an order to the officer to whom the same is directed, to seize and take into his possession, the property mentioned in such summons. But if the same be filed after the commencement of the action, the clerk or justice shall issue an order reciting the pendency of the action, and stating the kind, quantity and value of the property for which the action is brought, and requiring the officer to whom the same is directed, to seize and take into his possession the property mentioned in such order.

Duty of officer.

3. It shall be the duty of the officer to whom any such summons or order is delivered, to proceed forthwith to execute the same, and he may, if necessary, break open and enter any house or other enclosure in which such property may be, in order to seize the same.

How defendant  
may obtain re-  
turn of property.

4. The defendant, in any such action, may have the property taken possession of by such officer by virtue of such summons or order returned to him at any time within three days, after such taking, upon executing a bond with good security, to be approved by said officer, payable to the plaintiff, in a penalty at least double the value of such property, with condition to pay all costs and damages which may be awarded against him in said action, and all damages which may be sustained by any person by reason of the return of said property to him, and to have the property forthcoming to answer any judgment or order of the court or justice respecting the same. which bond shall be delivered to such officer, and by him returned to the office of the clerk or justice, who issued such summons or order. Upon the reception of such bond by the officer aforesaid, he shall

Bond.

forthwith return the property taken by him to the defendant, but in case no such bond be delivered to such officer within said three days, said property shall be delivered by said officer to the plaintiff.

5. Either party may, upon reasonable notice to the other, except to the sufficiency of the sureties in the bond of such party, and the court, or the judge thereof in vacation, or the justice before whom such action is pending, may, upon the hearing of such exceptions, make such order in the premises as may seem just and equitable.

Exception to sureties.

6. Upon the final trial of any such action, if the verdict be for the plaintiff, and he be not already in possession of the property claimed, the judgment shall be that he recover the possession of said property if a recovery thereof can be had, and if not, that he recover the value thereof as found by such verdict, and in either event, that he recover the damages, if any assessed by the jury for the detention of said property, and his costs in such action. And it shall be the duty of the jury in such cases to ascertain and assess such damages as the plaintiff has sustained by reason of the detention of such property by the defendant. If the plaintiff be already in possession of such property, the judgment shall be that he retain the possession thereof, and for damages and costs as aforesaid. In case the verdict at such trial be for the defendant, if the plaintiff be in possession of the property claimed, the jury shall in like manner ascertain and assess the damages sustained by the defendant by reason of the detention of said property by the plaintiff, and also the value of said property, and judgment shall be entered upon such verdict in all respects as is provided in case the verdict be for the plaintiff.

Effect of verdict for plaintiff.

Effect of verdict for defendant.

7. The execution issued in such cases shall conform in all things to the judgment entered therein.

Execution.

#### CHAP. 56.—An ACT to incorporate the Wayne County Coal and Iron Railway Company.

Passed February 22, 1866.

Be it enacted by the Legislature of West Virginia:

1. Richard Decker, Charles H. Reynolds, George W. Gasherie, of the city of New York, John P. Verree, of Philadelphia, Milton Shelton, Z. D. Ramsdell, Henry A. Baker, Lucien Ayer, Hamilton Mills, of Wayne county, West Virginia, John Bromley, George W. Gallup, of Louisa county, Kentucky, Thomas S. Jordan, of Greenup county, Kentucky, and their associates, successors, assigns and all who become stockholders, when five thousand shares of the capital stock of said company shall be subscribed as hereinafter provided, are hereby made a body politic and corporate, by the style and title of the Wayne County Coal and Iron Railway Company. Provided, that said subscriptions shall be made in the manner, and subjected to the provisions of the third section of chapter fifty-seven, of the code of Virginia, second edition.

Corporators.

- Line of railroad.** 2. The said company is hereby authorized to construct a railroad from some point on the Ohio river in the county of Wayne, at or near the town of Ceredo, by the most practicable route, to the forks of Twelve Pole creek, in said county, thence by the most practicable route to the mouth of Cove Creek, in said county, and thence by the most practicable route, to the Guyandotte river, in the county of Cabell, at or near the mouth of Fourteen Mile creek.
- Capital stock.** 3. The capital stock of said company shall be two millions of dollars, divided into shares of fifty dollars each; and books may be opened by the said corporators, or any three of them, for receiving subscriptions to the said capital stock, at such time or times and at such places as the said corporators, or any three of them, may designate.
- Subscriptions.**
- Company subject to provisions of code.** 4. The said books shall be opened and the subscriptions received in the manner provided in the code of Virginia, second edition, prescribing general regulations for the incorporation of railroad companies. The said company shall be subject to all the provisions and liabilities, and entitled to all the benefits of the aforesaid code, especially such as are specified in chapters fifty-six, fifty-seven and sixty-one, of said code, and of all other general laws now in force relating to railway companies, except when the same may be inconsistent with this act.
- Company authorized to make sidings,**
- to borrow money,**
- and to hold lands.** 5. The said company may make such sidings, branches and extensions of their said road, not exceeding fifteen miles in length, as they may deem necessary and convenient to the development of the agricultural and mineral resources of the country through which the said road passes. The said company shall also have power to borrow money, to accept and receive donations in land or money from any person or source whatever, for the purpose of building and equipping their said road, with its sidings, branches and extensions aforesaid. And the said company are authorized and empowered to purchase and hold, in fee simple or any less right, lands, not exceeding fifty thousand acres, and to sell, lease, mortgage or otherwise dispose of the same at their pleasure, and make proper conveyances therefor; and to pledge the property of the company for the payment of the same, and of the interest that may accrue thereon. The said company shall be required to commence the construction of their road within three years after the passage of this act, and shall finish at least one-third thereof within ten years from the time of commencement. If the capital stock of the said company shall be insufficient for the purposes of this act, the said company shall have power, and are hereby authorized to increase the same by the addition of as many shares as may be deemed necessary therefor.
- Commencement of work.**
- Increase of capital stock.**
- Provisions of code not to affect charter.** 6. So much and such parts of the code of Virginia hereinbefore mentioned, or of any other act or acts as may be inconsistent with the provisions of this act shall be held not to apply to the company hereby incorporated, so far as the same may in any way affect the charter hereby granted.

7. The legislature reserves the right to alter or amend this act, but such alteration or amendment shall not affect or impair the rights of creditors of the corporation to have the property and assets thereof applied to the discharge of their respective claims, or of the stockholders to have the surplus which may remain after paying the debts and liabilities of the corporation, distributed among themselves according to their respective interests.

*Reserved right  
of legislature.*

CHAP. 57.—An ACT in relation to the Sixth and Seventh Judicial Circuits, and the times for holding the terms of the Circuit Courts therein.

Passed February 22, 1866.

Be it enacted by the Legislature of West Virginia:

1. The sixth judicial circuit shall be composed of the counties of Wood, Jackson, Roane, Calhoun and Wirt, and the commencement of the terms of the circuit court therein, instead of being as heretofore prescribed by law, shall be as follows:

*Sixth circuit.*

For the county of Wood, on the tenth day of February and the tenth day of May; the twenty-fifth day of August and the twenty-fifth day of October.

*Wood.*

For the county of Jackson, on the fifth day of March and the fifth day of June; on the fifteenth day of September and the fifteenth day of November.

*Jackson.*

For the county of Roane, on the sixteenth day of March and the sixteenth day of June; on the twenty-sixth day of September and the twenty-sixth day of November.

*Roane.*

For the county of Calhoun, on the twenty-third day of March and the twenty-third day of June; on the fourth day of October and the fourth day of December.

*Calhoun.*

For the county of Wirt, on the seventh day of April and the seventh day of July; on the twelfth day of October and twelfth day of December.

*Wirt.*

2. The seventh judicial circuit shall be composed of the counties of Mason, Putnam, Fayette, Clay and Kanawha, and the commencement of the terms of the circuit court therein, instead of being as heretofore prescribed by law, shall be as follows:

*Seventh circuit.*

For the county of Mason, on the twenty-fifth day of February, and the same day of April, August and October.

*Mason.*

For the county of Putnam, on the tenth day of March, and the same day of May, September and November.

*Putnam.*

For the county of Fayette, on the eighteenth day of March, and the same day of May, September and November.

*Fayette.*

For the county of Clay, on the twenty-fifth day of March, and the same day of May, September and November.

*Clay.*

For the county of Kanawha, on the second day of April, and the same day of June, October and December.

*Kanawha.*

Law repealed.

3. So much of the sixth and seventh divisions of the third section of chapter eight of the acts of eighteen hundred and sixty-three, entitled "an act to fix the terms of the several courts," as conflicts with this act, are hereby repealed.

CHAP. 58.—AN ACT to provide punishment for the cutting down, injuring or destroying trees or shrubs.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia:

Punishment prescribed.

1. That if any person or persons shall unlawfully cut, bore, break, bark, bruise, pound, bump, gall, girdle, cut down, injure or destroy any fruit, ornamental, shade or other tree or trees, vine, bush or sapling standing in gardens, orchards, nurseries, streets, side-walks, groves, fields or forests, or take or destroy any fruit or garden or farm products, the property of another, of any value whatever, every such person or persons shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one nor exceeding ten dollars, and costs, or be imprisoned in the jail of the county not exceeding ten days, at the discretion of the justice, and shall moreover be liable to the party injured in treble the amount of damages by him sustained. All acts inconsistent herewith are hereby repealed.

Commencement of prosecutions.

2. All prosecutions under this act shall be commenced within six months after the offence is committed.

CHAP. 59.—AN ACT to incorporate the town of Ceredo, in the county of Wayne.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia:

Corporate limits.

1. The corporate limits and boundaries of the town of Ceredo, Wayne county, West Virginia, shall be as follows: Beginning at the mouth of Twelve Pole Creek, thence up said creek forty rods south of the "old military line," thence due west three hundred rods, thence north to the Ohio River, at the "old Morgan mill," thence up the Ohio River to the place of beginning.

Municipal authorities.

2. The municipal authorities of said town shall be a mayor, a recorder and five councilmen, who, together, shall form a common council.

Corporation.

3. The mayor, recorder and councilmen, so soon as they have been elected and qualified, as hereinafter provided, shall be a body politic and corporate, by the name of "The Town of Ceredo," and shall have perpetual succession, and a common seal; and by that name may sue and be sued, implead and be impleaded; 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.

Its powers.



4. All the corporate powers of said corporation shall be exercised How exercised. by said council, or under their authority, except where otherwise provided.

5. There shall be a town sergeant, a treasurer and commissioner of the revenue, appointed by the council, to continue in office at its pleasure, and perform the duties respectively, as hereinafter prescribed, or as may be required by the council. Sergeant, treasurer and commissioner.

6. The duties of the office of recorder, treasurer and commissioner of the revenue may be discharged by the same person, or otherwise, as the council may from time to time determine.

7. The mayor, recorder and councilmen shall be elected by the citizens of the said town, who may be entitled to vote under this act, and (except when elected to fill vacancies,) for the term of one year, and until their successors shall have been qualified, and shall be freeholders and residents of said town, and entitled to vote for members of the common council. Term of officers.

8. The first election under this act shall be held on the third Saturday in March, eighteen hundred and sixty-six, at the Ceredo House in said town, under the supervision of a justice of Ceredo township, and annually thereafter there shall be an election on the same day in each year, at such place and under such supervision, rules and regulations as the council of said town may prescribe. The person conducting the first election shall grant certificates to the persons elected, which shall be entered upon the records, with ordinances of said council, and their term of office shall commence on the first day of April next after election. Elections.

9. All persons, residents of said town, and entitled to vote for county and township officers, shall be entitled to vote for mayor, recorder and councilmen. Who entitled to vote.

10. When a vacancy shall occur from any cause, in the office of mayor, recorder or in the council, the vacancy shall be filled by appointment by the council. Vacancies in office.

11. At all elections, the vote shall be by ballot, and when two or more persons for the same office, at any election, shall receive an equal number of votes, the person or persons conducting such an election shall decide which of the said persons shall be returned elected. And all contested elections shall be heard and determined by the council, for the time being. Elections.

12. The mayor, recorder, councilmen, sergeant, treasurer and commissioner of the revenue shall each, before entering upon the duties of his office, and within ten days after being furnished with a certificate of his election, take and subscribe the oath of loyalty prescribed for county and township officers, and that they will truly, faithfully and impartially discharge the duties of their said offices, respectively, to the best of their abilities, so long as they continue Oaths of officers.

therein. The recorder shall take such oath or affirmation before a justice or other officer authorized to administer oaths, and thereupon he shall administer the oaths aforesaid to the other officers and councilmen. Certificates of the said oaths or affirmations shall be recorded in the journal of the proceedings of the council.

Councilmen.

13. When any four of the newly elected councilmen shall have been so qualified, they shall enter upon the duties of their said offices and supersede the former councilmen.

When offices declared vacant.

14. If any one elected mayor, recorder or councilman shall not have been eligible, or shall fail or refuse to take the oath or affirmation required under this act, within the ten days aforesaid, such office shall be declared vacant, and the vacancy filled as hereinbefore prescribed, but in all cases from among the citizens of the town eligible to such office or position under this act.

Council.

15. The council shall be presided over at its meetings by the mayor, or in his absence by one of the councilmen selected by a majority of the council present, and a majority of the council shall be necessary to constitute a quorum to do business.

Its journal.

16. The council shall cause to be kept in a journal, an accurate record of all its proceedings, by-laws, acts and orders, which shall be fully indexed and open to the inspection of the voters in the town.

Its proceedings.

17. The proceedings of last meeting shall be read to the council, corrected when necessary, and signed by the person presiding for the time being. Upon the call of any member, the ayes and noes on any question shall be called and recorded in the journal. The mayor, though voting as a member of the council, in cases of a tie, shall have the casting vote.

Its powers.

18. 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 order, and free from obstructions on or over them; to regulate the width of the sidewalks and streets, and to order the sidewalks, footways and gutters to be curbed, paved and kept in good order, free and clear, 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 abate or cause to be abated, anything which, in the opinion of a majority of the whole council, shall be a nuisance; to regulate the keeping of gunpowder and other combustibles; to provide for the burial of the dead, and for this purpose may purchase and hold the necessary 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 in or for said town; for the making of division fences, and to provide for shade and ornamental trees, and against danger or damage from fires

or contagious diseases; to provide a revenue for the town, and appropriate the same, and to provide the annual assessment of taxable persons and property of the town; to adopt rules for the transaction of business and the government and regulation of its own body; to promote the general welfare of the town, and protect the property, and preserve peace and good order therein; to keep a town guard; to appoint and order out a patrol for the town when deemed necessary; to appoint such officers as they may deem proper, including a sergeant, commissioner of the revenue, and treasurer; to define their powers, prescribe their duties, fix their term of service and compensation, require and take from them bonds, with such sureties and in such penalties as the council may determine, conditioned for the true and faithful discharge of their duties, and remove them at pleasure, (all bonds to be made payable to the town by its corporate name;) to erect, or authorize, or prohibit the erection, of gas works, or water works, in or near the town; to prevent injuries to, or pollution of the same; for all of which purposes named in this clause, except that of taxation, the council shall have jurisdiction for one mile beyond the borough; to regulate and provide for weighing and measuring of hay, coal and other articles sold or for sale in said town, and to regulate the transportation thereof through the streets, and generally do such things as the council shall deem necessary for the interests, prosperity, peace and good order of the citizens of said town.

19. To carry into effect these enumerated powers, and all others conferred upon said town or its council, expressly or by implication, in this or any other acts of the legislature, the council shall have power to adopt and enforce all needful orders, by-laws and ordinances not contrary to the constitution and laws of this state, 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 the said town, or the person lawfully exercising his functions. The council, with the consent of the supervisors of Wayne county, entered of record, may have the right to use the jail of said county for any purpose necessary in the administration of its affairs. Same.

20. The annual levy ordered by the council may be upon all male persons within said town, over twenty-one years of age; dogs, hogs, and other animals, and on all real estate within said town which is not exempt from state taxation, and all such other subjects in said town as may at the time be assessed with state taxes, provided the tax do not exceed one dollar on every hundred dollars of value of unimproved lots, and seventy-five cents on every one hundred dollars of the value of real and personal property, or two dollars per head on each taxable person. Annual levy.

21. When anything for which a state license is required is to be done within the said town, the council may require a town license to be had for doing the same, and may impose a tax thereon for the use Licenses.

of the town, and the council may in any case require from the person so licensed, a bond with sureties, in such penalties and with such conditions as it may determine.

Duties, powers  
and compensa-  
tion of sergeant.

22. The sergeant shall collect the town taxes, fines, levies and licenses, and after thirty days from the time he may receive the books of the commissioner of revenue of said town, may distrain and sell therefor, 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, and shall, within the corporate limits of the town, exercise all the duties that a constable can legally exercise in regard to the collection of claims, executing and levying process, and shall be entitled to the same compensation therefor; and he and his securities shall be liable to all the fines, penalties and forfeitures that a constable is legally liable to for any failure or dereliction in said office, to be recovered in the same manner and before the same tribunals that the same are now recovered against constables.

Lien on real  
estate for taxes.

23. There shall be lien on real estate for the town taxes assessed thereon, from the commencement of the year for which they are assessed, and the council may order and require the same to be sold or rented by the sergeant at public auction for the arrears, with interest thereon, with such per centum as the council may prescribe, for charges and expenses thereof, and may regulate the terms upon, and time within, which the same may be redeemed. No such sale or renting shall be ordered until such realty shall be returned delinquent, and the sale shall be after thirty days notice, posted at the hotel and postoffice in said town.

24. The council may prohibit any theatrical or other performance, show or exhibition, it may deem injurious to the morals or good order of the town.

Duties, powers,  
and compensa-  
tion of mayor.

25. The mayor shall be the chief executive officer of the town, shall take care that the by-laws, ordinances and orders of the council are faithfully executed; shall be, *ex officio*, a conservator and justice of the peace in the town, and shall, within the same, exercise all the powers and duties vested in justices; shall control the police of the town, and may appoint special police officers; shall see that peace and good order are preserved, and that the persons and property are protected in the town; shall have power to issue executions for all fines and costs imposed by him, or may require the immediate payment of them, and in default of such payment may commit the party in default to jail until the fine and costs be paid, but the term of imprisonment in such cases 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 town, and shall receive a compensation for his services, fixed by the council, which shall not be increased or diminished for the term for which he is elected.

Duty and com-  
pensation of  
recorder.

26. The recorder shall keep a journal of the proceedings of the council, and have charge of and preserve the records of the town,

and shall receive a compensation for his services, to be fixed by the council, which shall not be increased or diminished for the term for which he was elected.

27. All money belonging to said town shall be paid over to the treasurer, who shall pay the same out on the order of the mayor, countersigned by the recorder, and not otherwise; and for any default or liability upon the part of the treasurer or sergeant, the council, in the corporate name of said town, may, on motion, after ten days' notice, obtain judgment before the circuit court of said county, on account therefor, against them and their securities respectively, or any or either of them, or their heirs or legal representatives.

Duty of treasurer.

28. The said town, and taxable persons and property therein, shall be exempt from all expense or liability for the construction or repair of roads or bridges outside the corporate limits of said town: provided, however, that the said town shall keep its streets and alleys in good order and provide for its own poor.

Exemption from road tax.

CHAP. 60.—An ACT to consolidate the towns of Moundsville and Elizabethtown.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia:

1. That the towns of Moundsville and Elizabethtown, in Marshall county, are hereby consolidated into one corporation, under the name of the town of Moundsville.

Towns consolidated.

2. The corporate limits of the town of Moundsville shall be and remain the same as are now fixed and defined by existing laws as the corporate limits of Moundsville and Elizabethtown.

Corporate limits.

3. The council of said town shall consist of a mayor and eight councilmen, who, with the sergeant and two, at least, or more aldermen, if the council shall so direct, shall be elected annually on the fourth Thursday in May, and shall continue in office for one year, or until their successors shall be elected and qualified.

Council.

4. The first election for mayor and councilmen, sergeant and aldermen, shall be held at the court house on the fourth Thursday in May next, under the supervision of the sheriff, and succeeding elections under the supervision of the sergeant; and the mayor and councilmen so elected shall constitute the common council of the town of Moundsville. And all the powers, rights, capacities and privileges vested in the council of a town by the fifty-fourth chapter of the code of Virginia, shall be vested in the council of the town of Moundsville.

Elections.

5. The council of the town aforesaid, and all the other officers, shall continue in office with all their existing powers, rights and duties, until the first election is held as hereinbefore provided, and the council of the town of Moundsville shall have been duly qual-

Transfer of property to the new town.

ified, and no longer, and when the council of the town of Moundsville is elected and duly qualified, all the real and personal estate, and all the funds, rights, titles, taxes, credits and claims, and rights of action of the town of Moundsville, and also of Elizabethtown, or which have been appropriated for the benefit of said towns, or either or both of them, shall be and the same are hereby transferred to and vested in the said corporation created by this act. And all contracts with, and all rights, claims and demands against the corporations of Moundsville and Elizabethtown shall be good in law against the corporation hereby created.

What lands  
exempt from  
taxation.

6. The lands lying within the corporate limits not yet laid off into lots, streets and alleys, shall not be subject to town taxes so long as they remain in their present state, but when they shall have been so laid off by the proprietors thereof respectively, no lots remaining unsold in the hands of such proprietors shall be subject to taxation by the corporation until assessed, unless improvements of the assessed value of one hundred dollars shall have been erected thereon.

Voters.

7. Every male citizen of the state, of the age of twenty-one years or upwards, and who, for sixty days preceding any election, has resided in Moundsville or Elizabethtown, or the town of Moundsville hereafter, and is qualified to vote for members of the legislature, and no other person, shall be qualified to vote in all town elections.

Powers of mayor  
and alderman.

8. The mayor and aldermen, in addition to the duties and powers conferred by the fifty-fourth chapter of the code of Virginia, shall have cognizance of any claim to a fine or penalty under any ordinance or by-law of the said town, and any other claims in or against the corporation or any person residing therein, if the same be not of greater value or amount than one hundred dollars, exclusive of interest, and shall have power to issue writ of *fieri facias* upon any judgment obtained on any such fine, penalty or claim.

Appeal from  
judgment of  
mayor or  
alderman.

9. In any civil case in which the amount in controversy, exclusive of interest, shall exceed ten dollars, either party feeling aggrieved by the decision of the mayor or alderman, shall have the right to appeal to the circuit court of Marshall county, in the same manner and on the same terms, and subject to the same limitations, as appeals are now allowed from the judgment of a justice of the peace. And in any case, not civil, in which a fine exceeding five dollars, or imprisonment in the county jail, shall be imposed, the person against whom such judgment is, shall have the right to appeal from such judgment to the circuit court of said county, on the same terms and subject to the same limitations that appeals are now allowed to said court from the judgment of a justice of the peace. But in all cases of appeals, other than for fines, the mayor or alderman shall fix the penalty in an appeal bond to be entered into by the appellant with good security, conditioned that the said appellant shall, in case such judgment or license be affirmed, abide by and perform the same.

10. The sergeant of said town shall, in all criminal cases, as well as in the service of warrants and execution of writs of *feri facias*, have the same powers, duties and fees, and be subject to the same penalties that are prescribed by law for constables in similar cases, and shall give bond with good security in a penalty to be approved of by the council, and payable to the town of Monndsville, conditioned for the faithful discharge of the duties of his office, and may with the consent of the council, appoint one or more deputies.

Duties, powers  
and bond of  
sergeant.

11. For the purpose of carrying into effect the police regulations of said town, the town shall be allowed the use of the county jail for safe keeping and confinement of all persons who shall be sentenced to imprisonment under the ordinances or laws of said town, and all persons so confined shall be under the charge and custody of the sheriff of said county, who shall receive, keep and discharge such persons in such manner as shall be prescribed by the ordinances of said town, or otherwise shall be discharged by due course of the law. But the town shall in all such cases be liable to the sheriff for the fees and expense so incurred.

Town may use  
county jail.

12. The council of said town shall have power to tax dogs and subject them to such regulations as the council may deem proper.

Dog tax.

13. The council of said town shall have power and authority to change the streets and alleys, and to lay off and open additional streets and alleys in any part of said town, upon making just compensation to the owners of lots or ground taken for such purpose or affected thereby, and also to sell and convey in fee any street or alley which said council may deem of no public utility.

Change of  
streets.

CHAP. 61.—An ACT to amend and re-enact the first section of an Act passed February 1, 1847, entitled "An Act to incorporate the Male and Female Academy of Buckhannon."

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

That David S. Pinnell, Levi Leonard, Joseph D. Rapp, Nicholas C. Loudin, Thomas G. Farnsworth and Marshal Rohrbaugh, be and they are hereby created a body politic and corporate, by the name and style of the "Trustees of the Male and Female Academy of Buckhannon," in the county of Upshur, and by that name shall have perpetual succession and a common seal, may sue and be sued, plead and be implicated, with power to purchase, receive and hold to them and their successors forever, any lands, tenements, rents, goods and chattels of what kind soever, which may be purchased by or be devised or given to them for the use of said academy, and to lease, sell, rent or otherwise dispose of the same in such manner as shall seem most conducive to the advantage of said academy; provided that the lands, goods and chattels so authorized to be held, shall not

Academy  
incorporated.

Proviso.

exceed in amount or value the sum of twenty-five thousand dollars : and, provided, that not less than a majority of the trustees for the time being shall be sufficient to authorize the sale or mortgage of any real estate belonging to said academy.

CHAP. 62.—An ACT to dissolve and close the Branch of the Exchange Bank of Virginia, at Weston.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

1. The president and directors now in office, of the Branch of the Exchange Bank of Virginia, at Weston, are hereby authorized to dissolve the same, and dispose of its property, real and personal; collect, settle, and compromise its debts and claims, and distribute the proceeds, including the money now on hand, as hereinafter directed. And in the exercise of the said authority they may adopt and use a common seal for the said branch, and in the name of "the Exchange Bank of Virginia," for and on behalf of said branch, may sell and convey, assign and transfer, any of said property, and may sue and be sued, and shall continue to exercise the functions of their offices until the business of said branch is closed up, and from time to time fill vacancies that may occur in their body.

2. All money which may come to the hands of the said president and directors, for or on account of said branch, (after defraying necessary expenses,) shall be by them applied as follows: first, to the payment of all debts and liabilities due or to become due by said branch, such of the circulating notes of the Exchange Bank of Virginia issued prior to April seventeenth, eighteen hundred and sixty-one, as may have been made payable at the branch at Weston, but not including any other of the circulating notes of the said Exchange Bank, or any debts or liabilities of the mother bank or any other branch thereof; second, to pay, if sufficient, to the persons who are now citizens of West Virginia, and owners of stock in the said Exchange Bank, the par value of their stock, with interest thereon from the first day of July, eighteen hundred and sixty-two; and, lastly, the residue, if any, to be paid into the treasury of this state.

3. The said Branch of the Exchange Bank of Virginia at Weston, is authorized to transfer the capital stock owned by it or any part thereof in the National Exchange Bank of Weston, to this state, to be accounted for to the said Branch at the par value thereof, as so much of the proceeds of said Branch, directed by the preceding section to be paid into the treasury of this state.

4. The said Exchange Bank of Virginia, at Weston, for the purpose of ascertaining and determining the rights and interests of the several claimants to the distribution of the property and proceeds of the said branch, mentioned in the first section of this chapter, is authorized to commence and prosecute a suit or suits in the courts of this state, against any and all such claimants, including this state.

Officers of bank empowered to close it.

How money coming to their hands shall be applied.

Transfer of certain stock to state.

Suits by branch.



5. The said Exchange Bank of Virginia, at Weston, shall not be liable to any penalty by reason of any law now in force, for a failure to redeem its circulating notes as heretofore required by law.

CHAP. 63.—An ACT for the relief of Francis H. Peirpoint.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia:

The sum of one hundred and twenty-nine dollars and seventy cents is hereby appropriated to pay the expenses incurred by Francis H. Peirpoint, Governor under the restored government of Virginia, in defending the suit instituted against him by George W. Thompson, for alleged false imprisonment. Appropriation.

CHAP. 64.—An ACT to repeal chapter eight, of the acts of eighteen hundred and sixty-five.\*

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia:

Chapter eight of the acts of eighteen hundred and sixty-five is hereby repealed.

Provided that no suit brought in Preston county under the provision of the first section of the chapter above mentioned, shall be transferred from Preston to either of the other counties mentioned in said section by virtue of this act, except by the consent of both parties. Proviso.

CHAP. 65.—An ACT for the relief of the Overseers of the Poor of the county of Brooke.

Passed February 21, 1866.

Be it enacted by the Legislature of West Virginia:

1. That it shall be lawful for the overseers of the poor of the county of Brooke, to make a new report of their expenses for the year ending on the thirty-first day of March, eighteen hundred and sixty-four, as now directed by law, and to present the report so made to the board of supervisors of the said county, at their annual meeting in June, eighteen hundred and sixty-six. Allowed to make a new report of expenses.

2. The amount, which, according to such report, the aforesaid overseers will require, shall be chargeable on said county; and the board of supervisors of the said county of Brooke, when it orders the annual levy for the year eighteen hundred and sixty-six, shall provide for the said amounts together with a sufficient sum to pay what interest may have accrued on said amount till paid. It shall be payable out of the proceeds of the said levy to the overseers aforesaid, and shall be paid thereout, to such person and in such sums as the said board of overseers may direct. Levy for amount reported.

\*The act intended to be repealed is evidently chapter 8 of the acts of 1864, "An act to authorize suits to be brought in the county of Preston, in cases heretofore cognizable in certain other counties."

CHAP. 66.—AN ACT to dispense with the Assessment of back Taxes in certain Counties.

Passed February 24, 1866.

Be it enacted by the Legislature of West Virginia :

Lands in certain counties not to be assessed

1. In any county where the taxes on persons and property, either real or personal, have not been assessed, and the assessment returned to the auditor's office, for any year or years, from eighteen hundred and sixty-one to eighteen hundred and sixty-four, inclusive, the assessor or assessors of such county are hereby released from the duties imposed by the provisions of section seventy-seven of chapter one hundred and eighteen of the acts of eighteen hundred and sixty-three, as to the assessment of back taxes for any of said years; except that the land of all non-residents, which is situated in any such county shall be assessed.

or taxed, for certain years;

2. All persons and property, either real or personal, are hereby released from all liability for the taxes of eighteen hundred and sixty-one to eighteen hundred and sixty-four inclusive, in any county where the same have not been assessed, or having been assessed, where the assessment of the same has not been returned to the auditor's office: Provided, however, that lands owned by non-residents of the state shall not be exempted from taxation.

except lands of non-residents.

CHAP. 67.—AN ACT supplemental to the Act establishing the County of Mineral.

Passed February 24, 1866.

Be it enacted by the Legislature of West Virginia :

Certain officers to be appointed by board of supervisors.

1. There shall be a recorder, assessor, county treasurer, surveyor of lands and superintendent of free schools for the county of Mineral, and three school commissioners for each township thereof. The board of supervisors of said county shall appoint persons to fill said offices until the first day of January, eighteen hundred and sixty-seven.

Office of clerk and recorder.

2. The offices of the clerk of the circuit court and recorder may be either at Piedmont or New Creek, as the board of supervisors of said county may order, until the court house at New Creek is completed. The circuit courts for said county shall be held at the place at which the clerk's office is kept, until the court house is completed.

Board of supervisors may borrow money.

3. The board of supervisors of the county shall have power to borrow money not exceeding twenty thousand dollars, at legal interest, and to issue the bonds of the county for the same, to be used in the construction of the public buildings of said county.

Commissioners to run dividing line.

4. Thomas B. Davis, of the county of Mineral, and George W. Washington, of the county of Hampshire, are hereby appointed commissioners to run the dividing line between the said counties of Mineral and Hampshire, according to the act creating the said county

of Mineral. The said commissioners shall have power to employ a competent surveyor, who shall run and mark the said line under their direction, and, in case they differ, shall decide between them. The said surveyor shall make three plats of the boundary line run by him, one of which shall be delivered by the said commissioners to the recorders of each of the counties of Mineral and Hampshire, and the third one shall be delivered to the secretary of the state, to be preserved by them in their respective offices. The supervisors of Mineral county shall provide for the expenses of running and marking said line.

5. Persons committed to jail in Mineral county may be confined in the jail of Berkeley or any other county of this state, provided Mineral county pays all proper and legal expenses. Use of Berkeley county jail.

CHAP. 68.—An ACT to amend section 1 of chapter 78, of the acts of the General Assembly of the State of Virginia, passed February 13, 1862.

Passed February 21, 1866.

Be it enacted by the Legislature of West Virginia:

Section one of chapter seventy-eight of the acts of the general assembly of Virginia of eighteen hundred and sixty-two, is hereby amended and re-enacted so as to read as follows:

“1. That the council of said city shall have authority to levy an annual tax on all real estate and tithables, within the limits of said city without exception; provided, that such tax shall not in any one year exceed the sum of fifty cents for each tithable, and fifty cents on every hundred dollars value of said real estate. And, provided, that nothing contained in this act shall be so construed as to authorize taxation on the real estate lying and being situated on Zane's Island, owned by the legal representatives, heirs, or devisees of Daniel Zane, or the trustees of Ebenezer Zane's estate, or by Richard V. Whelan, or Elijah J. Stone, so long as the same shall continue to be owned by them, their legal representatives, heirs or devisees, or held under said trust, otherwise than the same would be taxable if this act had not passed, except that any part of the same may be taxed when laid out into town lots. And for the purpose of ascertaining such value, the council shall annually appoint one assessor from each ward, which assessors shall be freeholders in said city, and shall be sworn impartially and faithfully to make such appraisement. Power of council of Wheeling to levy tax. Certain property exempted from taxation.

CHAP. 69.—An ACT changing the time of holding the Terms, for civil business, of the Municipal Court of Wheeling.

Passed February 21, 1866.

Be it enacted by the Legislature of West Virginia:

The thirteenth section of chapter fifty-one, of the acts of eighteen hundred and sixty-five, passed the twenty-fourth day of February, eighteen hundred and sixty-five, is amended and re-enacted so as to read as follows:

Terms for civil business to be held eight times a year.

“13. For the exercise of the jurisdiction and powers conferred by the two last sections, (hereafter called *the civil jurisdiction of the said court*) the court shall hold its terms eight times in each year, that is to say, on the third Monday of April, June, July, August, September, November, January and February, commencing on the third Monday of April eighteen hundred and sixty-six, and each term to continue until adjourned by the judge thereof, to the succeeding term. But if any such term be not commenced on the day hereby appointed, or the Tuesday or Wednesday next after the same, all suits and proceedings then pending therein, shall stand continued without any special orders to that effect, to the succeeding term.”

The fourteenth section of the said chapter is amended and re-enacted so as to read as follows:

Where held.

“14. The said sessions shall be held at such place within the city as the council may from time to time provide for the purpose. The council shall also provide an office in the city for the clerk of the said court.”

CHAP. 70.—An ACT to establish the Eleventh Senatorial District out of a part of the Tenth.

Passed February 21, 1866.

Preamble.

Whereas, the counties of Berkeley and Jefferson have been admitted into, and become a part of this state, since the adoption of the constitution thereof, and whereas, adequate provision has not yet been made for the representation of the white population of said counties in the senate, as required by the sixteenth section of the fourth article of the constitution. Therefore,

Be it enacted by the Legislature of West Virginia:

Eleventh district formed.

1. The counties of Berkeley and Jefferson shall constitute the eleventh senatorial district, and be entitled to two senators.

Present senators for tenth district.

2. The senators now representing the tenth senatorial district being residents of the eleventh district as constituted by this act, are hereby declared to be senators of the said eleventh district, and shall hold their offices as such during the terms for which they have respectively been elected.

3. An election shall be held at the next annual state election, for two senators for the tenth senatorial district, and the senators so elected shall be classified and hold their offices as prescribed by the third section of the fourth article of the constitution.

Election for senators for tenth district.

CHAP. 71.—An ACT to relieve the securities of Joshua H. Staats, late Sheriff of Jackson County.

Passed February 24, 1866.

Be it enacted by the Legislature of West Virginia:

That the securities of Joshua H. Staats, late sheriff of Jackson county, be and they are hereby relieved from all liability to the state of West Virginia, including all judgments rendered against them as such securities in the city of Richmond.

CHAP. 72.—An ACT to amend and re-enact the first section of an act entitled "An Act authorizing the present and former Sheriffs of Ohio county to pay certain moneys to the treasurers of Ritchie and other townships in said county," passed February 16, 1865.

Passed February 24, 1866.

Be it enacted by the Legislature of West Virginia:

That section one of an act entitled "An act authorizing the present and former sheriffs of Ohio county to pay certain moneys to the treasurers of Ritchie, Triadelphia, Liberty and Richland townships in said county," be amended so as to read as follows:

"1. All moneys which have been heretofore appropriated for the purpose of carrying on schools in the townships of Ritchie, Triadelphia, Liberty and Richland, in Ohio county, by the school commissioners of said county, and which are still held by the sheriff of said county, or by any former sheriff or sheriffs of said county, as treasurers of the school commissioners of said county, shall be paid to the county treasurer of said county, on the order of the school superintendent of said county, subject to the same conditions as are provided for the payment to said treasurer of other school funds. And the said treasurer of the county is hereby authorized to collect by law, all sum or sums that may be due and unpaid from said sheriffs, or any of them, for which he shall have a reasonable and just compensation."

Certain school moneys to be paid to county treasurer.

CHAP. 73.—An ACT to change the times of holding the Courts in the Eighth Judicial Circuit.

Passed February 24, 1866.

Be it enacted by the Legislature of West Virginia:

That the commencement of the terms of the circuit court in the several counties of the eighth judicial circuit shall hereafter be as follows:

Raleigh.	For the county of Raleigh, on the first Monday of March, May, September and November.
Wyoming.	For the county of Wyoming, on the second Monday of March, May, September and November.
Logan.	For the county of Logan, on the third Monday of March, May, September and November.
Boone.	For the county of Boone, on the fourth Monday of March, May, September and November.
Wayne.	For the county of Wayne, on the second Monday of April, June, October and December.
Cabell.	For the county of Cabell, on the third Monday of April, June, October and December.

CHAP. 74.—An ACT providing for the establishment of a system of Free Schools.

Passed February 26, 1866.

Be it enacted by the Legislature of West Virginia:

Establishment of  
free schools.

1. In conformity with the constitution, a system of free schools is hereby established, in order to furnish instruction for the youth of the state, in such branches of learning as are necessary to the proper discharge of their social and civil duties. Every township now organized, or which may hereafter be organized in the state, shall be divided into a suitable number of school districts, to be managed as hereinafter directed.

School commis-  
sioners, their  
election,

terms of office

and eligibility.

2. At the time and place of holding elections for township officers, the qualified voters of the several townships, shall, in addition to the officers therein specified, elect three school commissioners, of whom the one having the highest number of votes shall serve three years; the one having the next highest number of votes shall serve two years, and the one having the next highest number of votes shall serve one year; and annually thereafter at the time and place of holding township meetings and elections, one commissioner shall be elected, who shall serve three years: provided, that if at the first election any two or more of the school commissioners elected shall have an equal number of votes, the persons so elected shall determine by lot the duration of their respective terms of office; and provided further, that no person shall be deemed ineligible to the office of school commissioner in consequence of having held the office the preceding term; and that after the first election two commissioners shall not be chosen from the same school district, if there be so many as three in the township.

3. The commissioners so elected shall, within ten days after being duly notified by the township clerk, proceed to qualify by taking the several oaths prescribed by law, which oaths the clerk of the township is hereby authorized to administer to the commissioners aforesaid; a copy of which oaths, signed by the commissioners, shall be kept by him upon the files of his office. And if any vacancy should occur in the office of school commissioner, the board of education of the township shall fill such vacancy within ten days after being informed thereof, by the appointment of some suitable person, who shall serve until the next annual township election, when a commissioner shall be elected for the unexpired term.

Qualification of commissioners.

Vacancies.

4. The commissioners, together with the clerk of the township, shall constitute the board of education for their township, and they and their successors in office shall be a body corporate in law, under the name and style of "The Board of Education of the Township of —," and as such may purchase, hold and sell or convey real and personal property, for the uses of education within their district, may receive any gift, grant, donation or devise; may become a party to suits and contracts; and do other corporate acts. They shall have the management of, and be invested with the title to, all real and personal property for the use of the public schools within their township, and shall manage or dispose of the same, as in their opinion will best subserve the interests of the schools.

Incorporation and powers of township board of education.

5. The clerk of the township shall be the secretary of the board of education, but shall have no vote except in the case of an appointment to fill a vacancy in the office of school commissioner. He shall be present at all meetings of the board, and shall record, in a book to be provided for the purpose, all their official acts and proceedings, which shall be a public record, open to the inspection of all persons interested therein; all which proceedings, when so recorded, shall be attested by his signature thereto as secretary of the board. He shall have the care of, and shall preserve in his office, all papers containing evidence of title, contracts and obligations; and in general shall record or keep on file in his office, all such papers and documents as may be so required by any of the provisions of this act, or by the orders of the board of education. It shall also be the duty of the township clerk to make an annual report to the county superintendent on or before the thirty-first day of August, of each year. For his services he shall receive such compensation as the board of education may determine. In his absence the board may appoint a clerk *pro tempore*.

Secretary of board.

His duties and compensation.

6. The board of education of each township shall, so soon as practicable after they are duly elected and qualified, and annually thereafter, within sixteen days after the fourth day of July, take or cause to be taken, an enumeration of all the youth resident within each school district, between the ages of six and twenty-one years, distinguishing between males and females, white and colored, and shall cause the result, verified by the oath or affidavit of the person taking

Enumeration of youth.

Formation of  
school districts.

the same, to the effect that such enumeration is correct, and that he has used all the means in his power to have it so, to be recorded in the office of their clerk; which enumeration shall be transmitted by the said secretary to the county superintendent. They shall divide their township into convenient school districts, assigning to each not less than fifty youths, between the ages of six and twenty-one years, except in cases where, in the opinion of the board, it is necessary to reduce the number, and shall cause to be taught in each district, one school for not less than six months in the year, in which shall be taught, by competent teachers, orthography, reading, writing, arithmetic, English grammar and geography. In making these districts, due regard shall be had to any school house already erected, or school house site already secured, so far as may best subserve the interests of free schools. The board of education first elected after the organization of their township, shall appoint three trustees in each school district, who shall serve till their successors are elected, as provided in the twenty-fifth section of this law.

Appointment of  
school trustees.

Reports and  
duties of board  
of education.

7. They shall receive and revise the reports of the trustees of each district of their township, and may return them to the trustees for revision and correction. From the corrected reports they shall make a report in tabular form, by districts, embracing each item, to the county superintendent, on or before the thirty-first day of August in each year, and shall add to said report such other information as may be necessary and beneficial in order to form a just estimate of the operations of the school system. They shall cause suitable lots of ground to be procured, and suitable buildings to be erected, purchased or rented, for school houses, and shall supply them with such furniture and fixtures as are necessary to the comfort, health, good order and progress of the pupils. They shall pay all expenses of enrollment, building, purchasing property, rent and other outlay necessary to the performance of their duties by drafts on the treasurer of the county, which drafts shall be signed by the clerk.

How judgment  
against board  
satisfied.

8. When any judgment shall be obtained against any township board of education, it shall be the duty of the county superintendent to assess the amount of such judgment, with interest and costs, upon the taxable property of their township, which amount shall be collected and paid out in the same manner as other school taxes, upon the order of the clerk of said board upon the county treasurer, to satisfy the judgment aforesaid. If the justice or court trying the case shall determine that the board of education, or a majority of its members, are guilty of an unlawful act, said judgment shall be satisfied by said board or said majority equally, as the case may be.

Establishment  
of union schools.

9. Whenever, in the opinion of the board, the interest of education within their township require that a central or union school of higher grade be established, the said board shall call a township meeting, by giving at least ten days' notice, by written or printed advertisements, posted in at least five of the most public places



within their township, specifying the time, place and object of the meeting, which meeting, when convened, shall be organized and conducted as provided for the annual township meetings; and when so organized the board of education shall submit the proposition for the establishment of such school, with the reasons for the same, together with a carefully prepared estimate of the cost; and if, after full deliberation and discussion, two-thirds of the qualified voters present and voting, shall decide in favor of the proposition, such school shall be established, and the estimated additional cost shall be added to the next annual assessment for school purposes within the district, and the board of education shall proceed to put such school into operation.

10. Such school shall be for the benefit of all the white inhabitants of the township, and shall be kept by a competent teacher or teachers (having a number one certificate,) of good moral character, who, in addition to the branches of learning prescribed for the primary schools, shall be capable of giving instruction in book-keeping, algebra, geometry and surveying, with such other branches pertaining to the natural sciences and general literature, as the board of education may determine.

What branches taught in union schools.

11. In regard to such union schools, the boards of education shall be invested with the same powers, and perform the same duties, as are required of the trustees of the school districts in reference to the primary schools, so far as these are applicable. They shall determine the ages and qualifications of the scholars to be admitted into them, and the length of time they are to be kept in operation during the year, and admit scholars not residents of the township who possess the requisite qualifications, at a rate of tuition not exceeding five dollars per quarter, and shall report separately to the county superintendent all such facts in regard thereto, as will be necessary to form a just estimate of the state of education within their township.

Powers of board respecting union schools.

12. No school district shall receive its share of the state fund for the support of free schools, unless the report required to be made by the trustees thereof shall first have been filed in the office of the county superintendent, within the time prescribed by law, and the levy required in section thirteen shall have been made.

On what condition state school fund to be distributed.

13. The board of education of each township of the state shall submit to a meeting of the qualified voters of their township, at the regular annual township meeting, or at one called for the purpose, an estimate, as near as practicable, of the amount of money necessary for the purpose of prolonging the schools in the districts after the state funds have been exhausted, so that free schools shall be continued in every district for the term of six months, at least, in each year; and said meeting shall assess an amount of tax to be levied for such purpose, not less than two or more than five mills on each dollar, according to the valuation of the taxable property of the township. The minutes of the meeting shall be recorded and preserved in the

Township levies for school purposes.

record book of the township board of education. And the rate per cent so decided upon, the board shall make known by certificate in writing, within ten days, including any tax which may have been voted by a special meeting for the establishment of high schools, as provided in the tenth section, to the assessor, who shall extend the entire amount of such assessment, together with other township levies, and make a return thereof to the county superintendent, and such taxes so levied for school purposes, shall be collected as the state taxes are collected. In case any township shall refuse or neglect to levy the tax authorized in this section, the qualified voters of any school district of such township, on the call of six voters resident in said district, may meet and levy and collect in the same manner as is provided for township levies, from the inhabitants of their district, such amount after the state funds are exhausted, as may be required to continue a school at least six months in the year. Should a township reconsider its action, and levy a tax, any school district that may have levied a tax shall be credited with the amount levied.

District levies for school purposes.

14. The boards of education, so soon as practicable after their township has been sub-divided as provided in the sixth section of this act, shall provide school houses in such locations as will best accommodate the majority of the inhabitants of such districts, and furnish them with such furniture and other appendages as are necessary to the comfort, health and progress of the pupils, and for this purpose they are hereby empowered to levy a tax of not more than seven mills on the dollar, on the taxable property of the township, which tax with the rate per cent, the board shall make known in writing to the assessor, who shall extend the same, as is required in the thirteenth section of this law, and such tax shall be collected as the state taxes are collected, and such commission allowed for collection as the board of education may determine, and the amounts so collected and paid over, together with all gifts, grants, donations and devises, which may be made for such purpose, shall constitute a building fund, to be exclusively appropriated to the purchase of sites for school houses, the construction and furnishing of the same, or for the rent, hire or repair of such property for the use of the free schools of the township. In case no board of education is elected, the state superintendent may appoint one.

School houses.

Building fund.

Conveyance of school houses and sites now in use.

15. Wherever school houses, school house sites or other property are now held by trustees or others for the use of schools, the board of education of the township in which such property is held shall procure conveyance of the same for the use of free schools wherever practicable, and shall cause all such property to be valued by three disinterested persons not resident within the school district in which such property is located; and the amount of such valuation shall be credited to the school district in which such property is located, on their annual assessment for building purposes.

What school property shall be returned,

16. The boards of education, as soon as practicable after the passage of this act, and on a day to be appointed by the county superintendent, shall examine, in connection with the county superinten-

dent, all the school houses and school property within their township, and of which they may have received conveyance; and all such school houses as are conveniently and properly located, and are deemed sufficient or capable of being rendered so, shall be established as school houses of the respective districts within which they are located; and all houses which are inconvenient or improperly located, or insufficient or incapable of being rendered sufficient by a reasonable expenditure, shall be condemned and sold at public sale, and what sold, the proceeds thereof being added to the building fund.

17. No school house shall be erected or repaired, unless the plan thereof shall have been submitted to the county superintendent and approved by him; and it is hereby made the duty of the county superintendent to acquaint himself with the principles of school house architecture, and in all his plans for such structures to have regard to economy, convenience and durability of structure. In order to aid the county superintendents in this branch of their duties, the state superintendent shall furnish, at the expense of the school fund, the office of each county superintendent within this state, with one copy of "Barnard's School House Architecture," or such other standard work upon the subject as he may prefer, such work to be kept in the office of the county superintendent for consultation and reference, and to be delivered by him to his successor.

Duty of county superintendent respecting school houses.

18. The boards of education of the several townships may borrow money for building purposes upon the credit of the building fund, but no greater amount of money shall be borrowed at any one time than the proceeds of the fund for five years would liquidate, nor shall the building fund of any township be pledged for any debt for a longer time than five years.

Boards of education may borrow money for building purposes.

19. When land has been designated by the board of education of any township as a suitable location for a school house and the necessary buildings, or for enlarging a school house lot, if the owner or owners refuse to sell the same, or demand a price therefor which is deemed by the board unreasonable, the board of education shall petition the circuit court of their county to have such lot of ground condemned for the use of public schools, and to appoint a jury of viewers, to consist of three discreet persons not resident within the district within which such land is located, who, being duly sworn or affirmed faithfully and impartially to try all matters submitted to them, shall assess the value of such land, and upon due return being made of such assessment, and the amount thereof being paid or tendered to the owner or owners of the land in question, the said board may enter thereon and use such land for school house purposes: provided, that no land shall be taken which shall exceed in quantity one acre.

Condemnation of land for school house sites.

20. All school houses, school house sites and other property for the use of free schools, shall be exempt from taxation, and also from sale on execution or other process in the nature of an execution. In order

School property exempt from taxation and execution.

to secure school property from injury, the trustees of the school districts shall bring suits for damages sustained, in the court of the county against the party or parties committing the act.

Establishment  
of schools.

21. The board of education shall take control of all the public schools within their district, in pursuance of which they shall be charged with the following powers and duties: They shall establish a sufficient number of free schools for the education and instruction of every individual resident within each school district, between the ages of six and twenty-one years, and all persons resident within the same who have been honorably discharged from the military or naval service of the United States, who may apply for admission and instruction, either in person or by parent, guardian or next friend, and such person so discharged shall be entitled to attend such school for the space of five years. The trustees of each school district shall

Soldier's  
privilege.

Duties of  
trustees in re-  
spect to teachers  
and their  
salaries,

appoint the teachers of the public schools within their district; shall fix the amount of teachers' salaries, and shall dismiss them at any time for incompetency, cruelty, negligence or immorality. They shall direct what branches of learning, in addition to those prescribed in the sixth section of this act, shall be taught in each school, and shall suspend or expel from any school any pupil found guilty, on full examination and hearing, of refractory or incorrigibly bad conduct.

branches taught,

visiting schools,

They shall visit the schools of their district within two weeks after the opening, and again within two weeks preceding the close of each school, and at such other periods as in their opinion the exigencies of each school may require; at which visits they shall examine the register of each teacher, and see that it is properly kept, and other matters touching the school house, furniture, fixtures, library, studies, discipline, mode of teaching, and improvement of the school; shall confer with the teacher in regard to its condition and management, and make such suggestions as in their view would promote the interest and efficiency of the school and the progress and good order of the pupils. The results of such visitation they shall cause to be entered on their minutes. They shall pay all necessary expenses of the schools by drafts upon the treasurer of the county, which drafts shall be signed by the trustees of the district, or any two of them, and an account of the same shall be entered by them in a book to be kept for the purpose. They shall annually, on or before the fifth day of Sep-

payment of  
expenses of  
schools,

and report to  
board of educa-  
tion.

tember, in each year, make a report to the board of education, setting forth the number of schools within their districts; the number and condition of their school houses; the number of scholars in attendance during the year, and the average of daily attendance, distinguishing between male and female, white and colored; the length of time the schools have been kept open during the year; the amount of tax levied and collected for school purposes within their district during the year; the number of teachers employed, distinguishing between male and female; the averages of each per month, including board; the amount expended for building, repairing and furnishing school houses; the amount and value of apparatus and libraries

belonging to their district for the use of the schools; and such other information as may be necessary and beneficial, in order to form a just estimate of the operation of the school system.

22. All drafts issued by school officers on the treasurer shall specify on what fund the draft is issued, whether the building fund, township levy, or the school fund, according to the blanks furnished by the state superintendent. The sheriff shall make an annual settlement with the county superintendent, of all accounts arising from the township and district levies for school purposes, on or before the fifteenth day of December.

Drafts.  
Sheriff's settlement.

23. On all taxes levied by township meetings, boards of education, or district meetings, for schools, or school houses, furniture or other school property, remaining unpaid sixty days after the sheriff receives the assessor's books, such per cent shall be added, (for collection thereof) as the board of education may determine. Ten days notice of the fact shall be given by the sheriff on receiving the aforesaid books.

Per cent added to unpaid taxes.

24. Whenever it shall happen that persons are so situated as to be better accommodated at the school of an adjoining district, whether in the same or an adjoining township or county, or whenever it may be desirable to establish a school composed of parts of two or more districts, it shall be the duty of the respective trustees of the districts in which such persons reside, or in which such schools may be situated, or of the districts or parts, of which the school is to be composed, to transfer such persons, for school purposes, to the districts in which such school house is or may be located; but the enumeration of youth shall be taken in each district as if no such transfer had been made; and such school when so composed, shall be supported from the funds of the respective districts from which the scholars may have been transferred; and the trustees of that district in which the school house is situated, shall have the management of such school; and the trustees of the districts so connected for school purposes, shall each make the proper estimates of their share of expenses of every kind necessary to sustain said school, and certify the same to the county superintendent as part of their annual estimates for school purposes, and draw orders on their respective county treasurers, for such sum as will be in proportion to the enumeration of youth so transferred, in favor of that district in which such school is located, to be appropriated to the payment of teachers, and for other purposes connected with the establishment or maintenance of such school.

Transfer of pupils from one district to another.

25. The qualified voters of each school district shall, on the second Saturday of April next succeeding the formation of their district as provided in the sixth section of this act, and annually thereafter, meet and elect three trustees of schools, and transact such other business as may further the interests of schools in their district. The trustees so elected shall, within five days after they are notified of

Election and qualification of trustees.

their election by the secretary of the district meeting, take the several oaths required by law, which oaths the said secretary is hereby authorized to administer.

**Schools for colored children.**

26. The trustees of schools in their respective districts shall be, and they are hereby authorized and required; to establish within their respective jurisdictions, one or more separate schools for colored children, when the whole number by enumeration exceeds thirty, so as to afford them, as far as practicable under all the circumstances, the advantages and privileges of a free school education; and all such schools shall be under the management and control of the trustees; but in case the average attendance of colored children shall be less than fifteen for any one month, it shall be the duty of said school officers to discontinue said school or schools for any period not exceeding six months at any one time, and if the number of colored children shall be less than fifteen in attendance, or not exceeding thirty by enumeration, the directors shall reserve the money raised on the number of colored children, and the money so reserved shall be appropriated for the benefit of such colored children in such a way as the trustees shall think best: provided, colored children shall not attend the same school or be classified with white children.

**Qualification of teachers.**

27. No teacher shall be employed to teach in any of the public schools of this state, until he shall have presented to the trustees of the district in which he applies, a certificate, in duplicate, of his qualification to teach a school of the grade for which he applies, the duplicate copy of which shall be filed with the clerk of the township; and no salary shall be paid to any teacher unless such duplicate be filed as aforesaid.

**School registers.**

28. Every teacher shall keep a daily register of his school, in manner and form as prescribed by the state superintendent, blank forms of which register shall be furnished to every teacher by the trustees of the district, at the commencement of his term, and at the close thereof shall be deposited in the office of the township clerk, properly filled according to the instructions accompanying the same from the state superintendent, as a condition precedent to his receiving his salary. They shall, before entering upon their duties, take the oaths required of all officers of this state.

**General duty of teachers.**

29. All teachers employed in the public schools of this state, shall read or cause to be read at least one chapter from the Bible, in a language understood by the scholars, every day at the opening of the school; inculcate the duties of piety, morality and respect for the laws and government of their country; and all teachers, boards of education, and all other school officers created by this act, are hereby charged with the duty of providing that moral training for the youth of this state, which shall contribute to securing good behavior, and to furnishing the state with exemplary citizens.

30. On the day of the annual township election next ensuing, and every two years thereafter, on the day of said election, the voters of each county shall elect a county superintendent of free schools, whose term of office shall be for two years, to commence on the twentieth day of June succeeding said election; and he shall continue in office until his successor is elected and qualified. He shall, before entering upon the duties of his office, execute a bond before the recorder of his county, in the sum of five hundred dollars, with approved security; upon which bond he shall be liable in any court having jurisdiction, to any person or persons, or to any township board of education, for losses sustained by reason of his neglect, or non-performance of duties imposed by this act. Said bonds shall be filed in the office of the recorder, who shall within five days, certify to the general superintendent of free schools, the name of said county superintendent, and his post office address.

County superintendent, his election, term and bond.

31. The county superintendent shall be liable to removal or punishment by fine not exceeding fifty dollars, by the board of supervisors, for any palpable violation of law or omission of duty. But no such superintendent shall be removed or fined for such violation of law or omission of duty, unless charges thereof shall be preferred to the board of supervisors, and a notice of the hearing, with a copy of the charges delivered to such superintendent, and an opportunity given him to be heard in his defense. And when the office of county superintendent shall become vacant, the said board of supervisors shall fill the same by appointment, for the unexpired term; and the person so appointed shall give the requisite bond and hold his office until his successor be qualified.

How removed.

Vacancy in office.

32. The county superintendent shall examine all candidates for the profession of teacher, as to their competency to teach orthography, reading, writing, arithmetic, English grammar and geography, if the application is for a primary school; and if the application is for a union or central school, he shall examine the applicant as to his competency to teach the additional branches required for such school; and if satisfied of the competency and capacity of the applicant to teach and govern such school, and that he or she is of good moral character, he shall give a certificate in duplicate, accordingly. The county superintendent shall keep a register of all those to whom certificates have been awarded, stating the character and grade of certificate, and the time when issued. No certificate issued by a county superintendent, shall be of force, except in the county in which it was issued, nor for a longer period than one year; and the county superintendent may, with the consent of the trustees of the district in which he may be teaching, revoke the certificate of any teacher within the county, for any cause which would have justified the withholding thereof, when the same was granted, by giving ten days notice to the teacher of his intention to revoke such certificate. The county superintendent may at stated periods hold public examinations, at which all the teachers of their respect-

Duty of county superintendent to examine teachers and give certificates

ive counties may be required to attend, and upon the failure of any teacher to comply with this provision of the law, his certificate may be revoked.

County superintendent to visit schools.

33. The county superintendent shall visit all the schools within his county at least once every six months, and note the course and method of instruction, and the branches taught, and give such directions in the art of teaching and the method thereof, in each school, as to him shall seem necessary and expedient, so that uniformity in the course of studies and methods of instruction employed, shall be secured as far as practicable in the schools of the several grades respectively. He shall acquaint himself, so far as practicable, with the character and condition of each school, noting any deficiencies that may exist, either in the government of the school, the classification of its pupils or the method of instruction employed in the several branches, and shall make such suggestions, in private, to the teachers, as to him shall appear to be necessary to the good order of the school and progress of the pupils. He shall note the character and condition of the school houses, the sufficiency or insufficiency of their furniture and fixtures; and shall make such suggestions to the several township boards of education as in his opinion shall seem conducive to the comfort and progress of the pupils of the several schools.

Duty of county superintendent in respect to

county associations,

teachers' institutes,

addresses to the people,

and instructions of state superintendent.

34. It shall be the duty of the county superintendent to aid the teachers in all proper efforts to improve themselves in their profession. For this purpose he shall encourage the formation of county associations of teachers for mutual improvement; shall attend the meetings of such associations whenever practicable, and give such advice and instructions in regard to their conduct and management as in his judgment will contribute to their greater efficiency. In connection with the superintendents of adjoining counties, each county superintendent shall encourage the formation of teachers' institutes; shall attend and participate in the exercises of the same as far as practicable; and shall use all proper means to improve the efficiency of the teachers and to elevate their profession. He shall use all proper means to create and foster among the people an interest in free schools, and for this purpose shall, as far as practicable, take advantage of such public occasions as may present themselves, as the dedication of school houses, public examinations, and so forth, to impress upon the people the importance of public education, and the duty of sustaining the system of free schools as established by law. He shall at all times conform to the instructions of the state superintendent, as to all matters within the jurisdiction of the said superintendent, and shall serve as the organ of communication between him and the several township boards of education. He shall distribute from his office all blanks, circulars, copies of school laws, and other communications from the state superintendent, to the several boards and persons entitled to receive the same.



35. No county superintendent shall act as agent for any author, publisher or bookseller, nor shall directly or indirectly receive any gift, emolument or reward for his influence in recommending the use of any book or school apparatus or furniture of any kind whatever. Any act herein prohibited, shall be deemed a violation of his official oath; and any offer or solicitation to such an act shall be considered an attempt to bribe and corrupt a public officer.

Acts forbidden  
to county super-  
intendent.

36. The county superintendents shall receive and revise the reports from the several township boards, and see that they are in proper form and according to the intent and spirit of the law, and where deficiencies exist, return them for correction. It shall be their duty to make out from these reports and from their own information, annually, on or before the thirtieth day of September, a report for each county, in tabular form, to the state superintendent, setting forth, under appropriate heads, the following items, viz: The number of schools in each district; the average number of months the schools have been taught during the year; the number of male teachers; the number of female teachers; the average salary per month of male teachers; the average salary per month of female teachers; whole number of youth within each district between the ages of six and twenty-one years; the number entered in the schools of the district; the average daily attendance, (distinguishing between males and females); amount levied within each district for the support of schools; amount levied for building purposes; amount received from state appropriation; cost of construction; fuel and contingencies; and amount expended for purchasing, renting, repairing and furnishing school houses. In addition to this report, it shall be the duty of the county superintendent to make out and transmit to the state superintendent a detailed report of the condition and character of the schools within his county, noting all deficiencies and suggesting their remedies, with such remarks upon the operation of the school laws as his experience and observation may have suggested, pointing out wherein he considers them as deficient, and what amendments may be required to render them efficient. He shall also report such townships in which the boards of education have failed to make return of the enumeration of youth as required in the sixth section of this act, and also those school districts that have failed to make the levy authorized in section fourteenth of this law.

Report of county  
superintendent.

37. In order to afford encouragement and incentive to teachers to perfect themselves in their profession, and at the same time to secure the profession from the intrusion of unworthy members, and the public from the evils of incompetent teachers, the following regulations shall be observed by county superintendents in regard to examinations and granting of teachers' certificates: *First*, No applicant shall be admitted to an examination unless the county superintendent shall have reasonable evidence that he or she is of good moral character, and loyal to the government of the United States and the government of the state of West Virginia. Profanity, obscenity and

Examination  
and certificates  
of teachers.

Good moral  
character and  
loyalty required.

Diploma  
disregarded.

Certificates to be  
graded.

Examination  
and certificate  
by state superin-  
tendent.

Fee therefor.

Lists of cer-  
tificates.

State school  
fund.

intemperate habits, shall always be held to exclude from the privilege of an examination. *Second*, No college diploma or certificate, or recommendation from the president or faculty of any college or academy, shall be taken to supersede the necessity of examination by the county superintendent. *Third*, County superintendents shall grade the certificates granted, according to the following scheme, numbering them according to the merit of the applicant, from one to five. Number three shall be assumed as the medium between a very good and an indifferent teacher, so that the scheme will stand thus: Number one, a very good teacher—one accomplished in every respect; number two, a good teacher; number three, medium; number four, below medium; number five, indifferent. A number five certificate shall never be granted to any teacher more than once. If upon a second examination, the applicant is not found entitled to a higher grade, no certificate shall be granted. A number four certificate shall not be granted more than twice in succession to the same applicant. If, at the third examination, the applicant is not found entitled to a higher grade, no certificate shall be granted. When any teacher has received three number one certificates, he shall be entitled to receive from the county superintendent a recommendation to the state superintendent for examination, and, if found worthy, the state superintendent shall grant him a professional certificate in proper form, engraved upon parchment, authenticated by the seal of his office and attested by his signature thereto; by which certificate the bearer shall be legally admitted to the profession of teacher within the state of West Virginia, which certificate shall be valid throughout the state and during the life of the bearer thereof; provided, that the state superintendent may revoke such professional certificate for immorality or disloyalty, when clearly proven. For every professional certificate so granted, a fee of three dollars shall be charged, to be applied to the use of free schools. And it is further provided, that from and after five years from the passage of this act, no person shall be eligible to the office of county superintendent who shall not have received such professional certificate. And it is hereby made the duty of each county superintendent, on or before the first day of June in each year, to make out and transmit to the state superintendent, a list of all candidates examined by him during the year, stating their names and address, with the grade of certificate granted to each; from which the state superintendent shall make out and transmit to the county superintendents a general list containing the names, address, and grade of certificate of each person examined within the state during the year; which list shall be kept in the offices of the county superintendents for information and reference.

38. There shall be constituted a fund for the support of free schools, which shall belong in common to the people of the state, and which shall consist of all such sums as have accrued or may hereafter accrue to this state from any of the sources enumerated in the first section of the tenth article of the constitution; and it is hereby made the duty of the auditor, from and after the passage of

this act, and from time to time thereafter, as such sums may accrue to and be paid into the treasury of the state, to pass such sums of money to the credit of the free school fund; and the state of West Virginia is hereby pledged to pay the interest annually on all such sums of money as may have been paid into the treasury of the state from any of the sources above mentioned, at the rate of six per cent per annum. And it is further made the duty of the said auditor to open in a book to be provided for the purpose, an interest account with the said fund, in which shall be stated all items of interest accruing from said fund, from the time any principal sum was paid into the treasury, until the end of the fiscal year; which interest shall be distributed among the several counties of this state for the support of free schools as hereinafter provided.

Duty of auditor respecting it.

39. There shall likewise be distributed, according to the second section of the tenth article of the constitution, and in the manner herein provided, the net proceeds of all fines, confiscations and forfeitures accruing to this state under the laws thereof, together with the proceeds of a capitation tax of one dollar on each white and colored male inhabitant over twenty-one years of age, and such sum as may be produced by a tax of ten cents upon the hundred dollars valuation of all taxable property of the state at the last annual assessment; which tax shall be assessed and collected at the same time and in the same manner as other state taxes are assessed and collected. And the officer collecting such tax shall be allowed a commission thereon, at the same rate per cent as may be allowed by law for the collection of other state taxes; which taxes when so collected, shall be paid into the treasury of the state, to be distributed annually with other school funds herein described, to the several counties of the state in proportion to their enumeration of scholars.

Distribution of proceeds of fines and taxes.

Collection of school taxes.

40. It shall be the duty of the auditor, on or before the first day of April in each year, after deducting the salary of the state superintendent and all the necessary traveling and incidental expenses of his office, to apportion among the several counties of the state, the money remaining in the treasury for distribution for school purposes, according to the number of youth resident in each county of the state, between the ages of six and twenty-one years, according to the list furnished him by the state superintendent, and to notify the said superintendent of such apportionment, with the amount which each county is entitled to receive. The said superintendent shall thereupon draw his requisition upon the auditor in favor of the treasurers of the several counties, for such amounts as they are respectively entitled to receive, according to the apportionment of the auditor, and shall at the same time notify the several county superintendents of the amounts to which their several counties are entitled. And each county superintendent, upon receiving notification of the amount to which his county is entitled, shall, after deducting the amount of his own salary, apportion the remainder among the several districts of his county entitled thereto, according to the number of

Apportionment of school fund by auditor.

Requisitions drawn by state superintendent.

youth resident within the same, between the ages of six and twenty-one years, and shall notify the trustees of each district of the amount appropriated to their respective districts.

Salary of county superintendent.

41. The salary of the county superintendent shall be determined by the board of supervisors, who shall give a warrant on the treasurer of the county for the payment of the same out of the state school fund: provided, that his salary shall not be less than fifty nor more than five hundred dollars, and shall be in consideration of services as justice may require.

Duty of county treasurer in relation to school money.

42. The treasurer of the county shall be the treasurer of all money belonging to the schools in his county. He shall give bond in such amount as the board of supervisors may require. For his services he shall receive one per cent commission. He shall, annually, on or before the twentieth day of June, settle with the county superintendent, and account to him for all money received, from whom and on what account, and the amount paid out for school purposes in his county. The county superintendent shall examine the vouchers for such payments, and, if satisfied with the correctness thereof, shall certify the same; which certificate shall be a discharge of such treasurer; and, at the expiration of his term of service, said treasurer shall deliver over to his successor in office all books and papers, with all money or other property in his hands belonging to said county for schools therein, and also all orders he may have redeemed since his last annual settlement with the county superintendent.

Failure of treasurer to make annual settlement.

43. In case the county treasurer shall fail to make such annual settlement, within the time prescribed in the preceding section, he shall forfeit five hundred dollars, to be recovered before any court having jurisdiction in the name of the state of West Virginia, for the use of free schools in the county; and it is made the duty of the township clerk to proceed forthwith, in case of such failure, by suit against such treasurer to recover the penalty aforesaid; but when it shall appear on trial, to the satisfaction of the court, that said treasurer was prevented from making such settlement within the time prescribed, by sickness or unavoidable absence from home, and that such settlement has since been actually made, the court shall discharge such treasurer on the payment of costs.

School year and month.

44. The school year shall commence on the first day of September, and all reports, settlements, and so forth, shall be made in reference to that day. The school month shall be held to consist of twenty-two days in all contracts with teachers, and other operations of the boards of education; and no school shall be kept in operation for the purpose of ordinary instruction on any Saturday; but it shall be taken as part of the contract with every teacher, that two Saturdays of every entire calendar month during which the school may be in operation, shall be devoted by the teachers of each district to appropriate exercises for mutual improvement, under such regulations as the board of edu-

cation, under the instructions of the county superintendent, may designate. The first day of January, fourth day of July, twenty-fifth day of December, and all national and state festivals, shall be included in the school month.

45. The state superintendent shall be elected by a joint vote of both branches of the legislature. He shall hold his office for the term of two years, and until his successor is qualified. When a vacancy may occur in said office by death, resignation or otherwise, the governor shall fill the same by appointment, for the unexpired term.

State superintendent, his election.

46. Before entering upon the discharge of his official duties, the said state superintendent shall give bond in the sum of three thousand dollars, with good security, which bond, with the certificate of his oath endorsed thereon, made and taken before the secretary of the state, shall be filed in the office of the treasurer of the state.

and bond.

47. The state superintendent shall be charged with the general supervision of all county superintendents and all the free schools of the state; and shall see that the school system is, as early as practicable, carried into effect and put in uniform operation. He shall prescribe and cause to be prepared all forms and blanks necessary in the details of the system so as to secure its uniform operation throughout the state; and shall cause the same to be forwarded to the several county superintendents, to be by them distributed to the several persons entitled to receive the same. He shall decide, upon a written statement of the facts, all questions and controversies arising out of the interpretation and construction of the school laws in regard to the rights, powers and duties of township boards of education, school trustees and county superintendents, and shall keep a record of all such decisions. He shall cause as many copies of this act and all other school acts in force, with the above decisions appended thereto, with such forms, regulations and instructions as he may judge expedient, thereto annexed, to be from time to time published, as he may deem expedient: and shall cause the same to be forwarded to the county superintendents, to be by them distributed to the persons entitled to receive them.

General duties of state superintendents.

48. He shall, at the time and place to be appointed by him, convene the county superintendents within each judicial circuit of the state once in each year, for the purpose of conference upon the interests of education within their several jurisdictions, and giving such instructions and making such suggestions in regard to the discharge of their several duties as to him may seem expedient, and as the interests of education may seem to require. He shall take advantage of such meetings to address the people on the subject of education, and in exposition of the system of free schools as established in this state.

To convene county superintendent.

To perfect school system.

49. It shall be the duty of the state superintendent to aim at perfecting the system of free schools as established in this state; and for this purpose it shall be his duty to correspond with educators and school officers abroad, to acquaint himself with the various systems of free schools established in other states and in other countries, to collate their results as exhibited in the reports of their several superintendents, and to use all efforts and means which will be necessary to enable him to render available to the purposes of the legislature, the combined results of the experience of other communities, with his own experience and observation. He shall acquaint himself intimately with the peculiar educational wants of each section of the state, and shall take all proper means to supply them, so that the schools shall be as nearly as possible equal and uniform in grade throughout the state. He shall acquaint himself with the different systems and methods of instruction which may be introduced among educators, and shall explain and recommend such as experience and sound principles of education may have demonstrated to be valuable; and, generally, it shall be his duty to endeavor to render available to the people of this state all such improvements in the system of free schools, and in the methods of instruction, as may have been tested and proved by the experience of other communities and the best educators abroad.

Reports of state superintendent.

50. He shall, annually, on or before the thirty-first day of March, report to the auditor the number of persons between the ages of six and twenty-one years in each county in the state, also all township boards which have failed to make the enumeration required in the sixth section of this act; and shall, at each session of the legislature, make a report to the same in regard to the condition of free schools within the state, embracing all statistics compiled from the reports of the county superintendents, which will be necessary to give a proper exhibition of the working of the system, together with such plans as he may have matured for the management and improvement of the free school fund, and for the better and more perfect organization and efficiency of free schools, and likewise all such matters in relation to his office and to the free schools as he may deem it expedient to communicate.

His office.

51. The state superintendent shall have his office at the seat of government, where a suitable office shall be provided for him, supplied with the necessary furniture and fixtures, and provided with such blanks and stationery as the business of the office may require.

Seal of department.

52. He shall provide a seal with a suitable device for the department of free schools, and copies of papers deposited or filed therein and all official acts and decisions may be authenticated under said seal, and when so authenticated, shall be evidence equally and in like manner with the originals. He shall sign all requisitions on the auditor for the payment of such money to the treasurers of the several counties for the use of the free schools as they may be entitled

Disbursement of school funds.

to receive from the state; and for all other money to be paid out of treasury of the state for school purposes. The state superintendent of free schools shall prescribe a series of class books to be used in the free schools throughout the state.

Uniformity of class books.

53. He shall receive annually, the sum of one thousand five hundred dollars, in payment of his services, to be paid quarterly out of the school fund, upon the warrant of the auditor.

Salary.

54. The governor, auditor, treasurer, secretary of the state and the general superintendent of free schools, shall be a corporation under the name of "The Board of the School Fund," and shall have the management, control and investment of said fund, under the first section of the tenth article of the constitution.

Board of school fund.

55. The governor shall be the president of the board, and in his absence the board may choose one of their number to officiate temporarily in his place. The auditor shall be the secretary of the board. A faithful record shall be kept of all their proceedings, and a copy thereof certified by the secretary of the board, shall be evidence in all cases in which the original would be.

Its officers.

56. A meeting of the board may be held at any time, upon the call of any member thereof, provided notice be given to all the members who may be at the seat of government. The auditor's office shall be the place of meeting, and the proceedings shall be signed by the president of the meeting for that day, and shall be open to inspection at all times.

Its meetings and proceedings.

57. All money which ought to be paid into the treasury to the credit of the school fund shall be recoverable with interest, by action or motion, in any court having jurisdiction; and the auditor shall institute and prosecute said action or motion when thereto directed by the board.

Recovery of money into school fund.

58. The board may appoint agents for the collection of debts or claims, and authorize them to secure payment thereof, and protect the interests of the school fund, on such terms as it may approve. They shall take bond from said agent if any money is to come into his hands; and any agent selling lands when directed to do so by the board, shall execute a deed (with the resolution giving such direction thereto annexed,) conveying to the purchaser by special warranty. Said agent may be allowed by the board a compensation not exceeding in any case five per cent on the money actually paid into the treasury.

Appointment of agents to collect debts due school fund.

59. The board shall from time to time invest all the uninvested capital and interest of the school fund in interest-bearing securities of the United States or of this state, as provided for in the constitution.

Investment of school fund.

Duties of auditor as member of the board.

60. The auditor shall be the accountant of the board, exercising any of their powers, except that he shall not, without special authority entered upon the records of their proceedings, dispose of any property, or invest any money of the school fund. He shall place the securities in which said school fund is invested, in such depository for safe keeping as the board shall direct.

Auditor's annual report on the school fund.

61. The auditor shall, annually, before the first day of November, deliver to the governor and to the general superintendent of free schools, each, a report made up to the first day of October next preceding, of the condition of the school fund, with an abstract of the accounts thereof in his office; which report the general superintendent shall lay before the legislature in his next annual report to that body.

Receipt and disbursement of school fund.

62. All money belonging to the school fund shall be received into and paid out of the treasury, upon the warrant of the auditor. But no warrant for paying out such money shall be issued without the authority of the board.

Laws repealed.

63. All acts and laws heretofore existing in this state in any way inconsistent with the provisions of this act, are hereby repealed.

Wheeling exempt from provisions of this act.

64. The provisions of this act shall apply to the city of Wheeling and parts of townships connected therewith, only so far as the same may be in conformity with the provisions of an act to provide free schools for the city of Wheeling, passed March second, eighteen hundred and sixty-five.

CHAP. 75.—An ACT to provide for obtaining Grants for Lands where the entries are lost or destroyed.

Passed February 25, 1866.

Be it enacted by the Legislature of West Virginia :

Petition of claimant.

Any person claiming a right to have a patent issued to him on any entry in force on the twentieth day of June, eighteen hundred and sixty-three, when the record in the surveyor's office containing such entry is lost or destroyed, may file his petition under oath in the circuit court of the county in which he claims that the entry was made, in which he shall state the time as nearly as may be when the entry was made, give a description of the warrant on which made, state the quantity of land entered and give a particular description of the same. If the court shall be satisfied from such petition and affidavit, together with such other evidence as may be offered, that said petitioner is entitled to have his entry surveyed, it shall order the county surveyor, or, for good cause, some special surveyor, to survey the same. The survey shall conform to the law in force in relation to surveys. When the survey is completed it shall be returned to the court which ordered it to be made; the court, if it is satisfied that the survey is correctly made, and that the petitioner is entitled to

Court may order survey of entry.

Return of survey and order for grant thereon.



have a patent for the land as surveyed, shall order the survey to be recorded in the books of the surveyor of the county as other surveys are recorded, and shall order that the petitioner is entitled to have a grant issued to him on such survey. Copies of the orders made in the proceedings shall be forwarded to the secretary of the state, together with a plat and certificate of the survey. The affidavit required by section forty-three of chapter one hundred and twelve of the code of Virginia, second edition, must accompany the said plat and certificate of survey. A grant shall be issued on the plat and certificate of survey, if not caveated in the time fixed by law, in all respects as on other plats and certificates of surveys. Issue of grant.

CHAP. 76.—An ACT to authorize the Board of Supervisors of Hampshire County to borrow money.

Passed February 26, 1866.

Be it enacted by the Legislature of West Virginia :

That the board of supervisors of the county of Hampshire is hereby authorized to borrow money, not exceeding twenty thousand dollars, at legal interest, for necessary county improvements, and issue and sell the county bonds to that amount.

CHAP. 77.—An ACT for the benefit of married women in insuring the lives of their husbands.

Passed February 26, 1866,

Be it enacted by the Legislature of West Virginia :

1. It shall be lawful for any married woman, by herself, and in her name, or in the name of any third person, with her assent, as her trustee, to cause to be insured, for her sole use, the life of her husband for any definite period, or for the term of his natural life; and in case of her surviving her husband, the sum or net amount of the insurance becoming due and payable by the terms of the insurance, shall be payable to her, to and for her own use, free from the claims of the representatives of her husband, or of any of his creditors; but such exemption shall not apply where the amount of premium annually paid out of the funds or property of the husband shall exceed one hundred and fifty dollars. Married women allowed to insure lives of their husbands.

2. The amount of the insurance may be made payable, in case of the death of the wife before the decease of her husband, to his or her children, for their use, as shall be provided in the policy of insurance, and to their guardian, if under age. To whom insurance payable.

CHAP. 78.—An ACT to regulate the Registration of Voters.

Passed February 26, 1866.

Be it enacted by the Legislature of West Virginia :

County board of  
Registration.

1. There shall be appointed by the governor, from among the citizens most known for loyalty, firmness and uprightness, three persons for each county residing therein, who shall be styled the county board of registration, which board shall proceed to appoint one loyal and upright person, to be styled the registrar, for each ward of the cities and incorporate towns, and each township or district of such county.

Township  
Registrars.

The registrar shall register the white male citizens in his ward, township or district, entitled to vote therein according to the provisions of this act, in the manner hereinafter provided; and the members of the said board, and the registrars, shall each, before entering upon the discharge of his duties, take the proper oath of office, passed November sixteenth, one thousand eight hundred and sixty-three, which oath, sworn to as aforesaid, shall be subscribed by the party and returned to and filed by, the recorder of the county. Each member of the said board, and each registrar, shall receive two dollars for each day occupied and required in discharging the duties of his office. Any vacancy in the county board or in the office of registrar, shall be filled as hereinafter provided, any two of said board having power to act and perform all the duties and functions of their office.

Oaths and com-  
pensation.

Vacancies.

Registration  
books.

2. The governor shall cause to be prepared suitable books for the registration of the names of voters and facts required by this act, to be furnished to the county board of registration and by them distributed to the registrars of their respective wards, townships or districts. The books aforesaid shall be so arranged as to admit of the alphabetical classification of the names of voters, and ruled in parallel columns, on which shall be entered:—*First*, The name of the person registered. *Second*, Sworn. *Third*, Age. *Fourth*, The place of his birth. *Fifth*, The time of his residence in the ward, township or district. *Sixth*, Time of residence in the state. *Seventh*, If naturalized, the date of the papers, and the court by which issued.

Duty of  
registrar.

3. Before any registrar shall register the name of any person as a qualified voter, except as hereinafter provided, he shall be satisfied of his qualifications as heretofore provided by law, and if he has any doubt as to such person's loyalty, he shall administer to such person the following affidavit :

Affidavit of  
voter.

“—— township of —— county, to wit. : I, A. B., do solemnly swear that I have not, since the first day of June, eighteen hundred and sixty-one, voluntarily borne arms against the United States, the reorganized government of Virginia or the state of West Virginia; that I have not voluntarily given aid, comfort or assistance to persons engaged in armed hostility against the United States, the reorganized government of Virginia or the state of West Virginia; that I have not sought, accepted, exercised or attempted to exercise, any office or appointment whatever, under any authority or pretended authority hostile or inimical to the United States, the reorganized government

of Virginia or the state of West Virginia; that I will support the constitution of the United States and the constitution of this state; and that I take this oath freely, without any mental reservation or purpose of evasion."

Such affidavit shall be subscribed by the party and sworn to before the registrar, and returned with his books to the county board of registration, to be filed by such board: Provided, that no person who has heretofore volunteered in the military service of the United States, or of this state, and who has been, or may hereafter be, honorably discharged therefrom, shall be required to take the affidavit of voters provided by this act, or be rejected from registration on account of any disloyalty prior thereto; but any person presenting an honorable discharge from the United States military service, if qualified as heretofore provided by law, shall be registered as a qualified voter. And provided, further, that every person shall be registered who will be entitled to vote at the first election occurring after the registration, by reason of his arriving at twenty-one years of age before that time, or by reason of his having then resided for a sufficient length of time in his election district: provided that he is otherwise qualified according to the provisions of this section.

Registration of soldiers,

and of certain minors.

4. The registrar shall not allow the name of any foreign-born resident or citizen, qualified as aforesaid, to be registered unless his naturalization papers be produced and exhibited to him, and by him endorsed with the date of their exhibition, or upon satisfactory proofs that such person is naturalized, entering in the sixth column the facts and their sufficiency to constitute such person a voter: Provided that this section shall not apply to persons who came to this country under eighteen years of age, or to persons who have served in the armies of the United States, or of this state, and been or shall be honorably discharged therefrom.

Registration of foreign born citizens.

Proviso.

5. The registrar shall immediately upon receipt of notice of his appointment, proceed to register the names of all the qualified voters within his ward, township or district, in accordance with the provisions of this act, and shall have such registration completed on or before the fourteenth day of April, eighteen hundred and sixty-six, and it shall be the duty of the registrar to sit at some convenient place in his ward, township or district, on Friday and Saturday of every week, from the first Thursday in August to the third Saturday of September, inclusive, for the purpose of amending and correcting the said registration, and he shall give notice of the time and place of sitting at least ten days previous thereto, by posting printed notices in ten of the most public places in his ward, township or district, and the county board of registration may, if they deem proper, in a newspaper, if there be one in such county, publish the same.

Registration of voters.

Correction of registration.

6. The name of any person who is qualified, according to the provisions of this act, may be registered at any time after the said twentieth day of April, or after any other regular days appointed for

Same.

registering voters shall have passed, but not less than ten days before any election at which such person may desire to vote, by his application to the proper registrar.

Power of county board over sessions of registrars.

7. The county board of registration shall have power, whenever they deem it necessary or expedient, to change the times and increase or diminish the number of days on which the registrars of their respective counties shall sit for the purpose of amending and correcting the registration.

Copies of registrar books.

8. At least ten days preceding the next election after the registration of voters under this act, and at least ten days preceding any election thereafter, the registrar shall make out fair copies of his registrar books, one copy of which he shall lodge with the county board of registration, one copy with the board of supervisors, one copy of the registry books of each ward with the council of such city or town, and one copy with the inspectors of elections, at each of the polls in his ward, township or district. It shall be the duty of the county board of registration to examine such book; and if they are satisfied that any person has been registered who has been guilty of any of the acts enumerated in the affidavit contained in the third section of this act, or is in any way disqualified to vote, under the provisions thereof, it shall be the duty of the said board, upon proof of any such act or disqualification, to exclude the name of such person from the list of registered voters. But the party whose name is proposed to be excluded, shall have due notice of the time and place of taking the evidence to prove his disqualification, which evidence he shall have the right to rebut, and shall have his name restored to such list if improperly stricken therefrom.

County board to examine books.

Clerk of county board.

9. The county board of registration may employ a clerk who shall be allowed as compensation, two dollars per day for each day such clerk may be actually and necessarily employed in such service. The board shall procure a book in which shall be accurately kept the minutes and proceedings of such board, the appointments and removal of registrars, and the review of any of their proceedings. Any person feeling aggrieved or dissatisfied with the action or decision of any registrar, may have the action or decision of such registrar reviewed and corrected by the board, according to the requirements of this act. For good cause shown, the board may remove any registrar in their county, and for official misconduct, disloyalty, or other cause, the governor may remove any member of the board. Vacancies occurring by such removal shall be filled as hereinbefore provided.

Review of registrar's decision.

Duty of registrar to preserve order.

10. Every registrar shall preserve order at and in the vicinity of the place of registration, and may direct any disorderly person to be removed therefrom, and if necessary or proper, to be taken into custody and held until sunrise of the next day, or for any shorter time; which may be done by any constable of the township, or other person or persons designated by the registrar, upon his warrant or authority in writing. Any such offender, notwithstanding his having

been in custody as aforesaid, shall be liable to any penalty or punishment for his offense prescribed by law. And any person being thereto commanded by the written authority of the registrar, who shall fail or refuse to assist to the utmost of his power in whatever may be necessary or proper to prevent intimidation, disorder or violence at the place of registration, shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than five nor more than fifty dollars.

Assistance  
therein.

11. Any registrar who shall wilfully or maliciously reject from registration or register any persons contrary to the provisions of this act, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than fifty nor more than one hundred dollars, and be liable to the party injured for damages; but no registrar shall be held liable for any mere error of judgment in the discharge of his duties.

Punishment for  
illegal registra-  
tion or rejection.

12. No person shall be allowed to vote at any election hereafter held in this state, after the first registration shall have been completed according to the provisions of this act, unless he shall have been registered as hereinbefore provided, and the inspector of every election shall allow only those to vote whose names shall appear on the registry books returned by the proper registrar; and any inspector or supervisor who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than fifty nor more than two hundred dollars, or imprisoned not less than ten nor more than ninety days, or both at the discretion of the court, for every such offense.

No person to vote  
unless regis-  
tered.

Punishment of  
disobedient elec-  
tion officer.

13. Annually after the first appointment of officers under this act, they shall be renewed by appointment as hereinbefore provided, and each retiring officer shall transmit to his successor in office, all books, papers, documents and property belonging to his office.

Future appoint-  
ment of registra-  
tion officers.

14. Any officer or other person who shall change, alter, amend or destroy any books or lists of registration, shall be deemed guilty of a misdemeanor, and, on conviction thereof, forfeit and pay a fine not less than fifty nor more than two hundred dollars, or be imprisoned in the county jail not less than three nor more than twelve months.

Punishment for  
alteration of  
registration  
books.

15. As soon as the result of any election is determined at the polls, the inspectors shall return with their certificates, poll books and ballots, the registry books of such election, to the board of supervisors, unless it be a municipal election, in which case the inspectors of each ward shall return with the certificates, ballots and poll books, the registry book of such ward to the proper judges of such municipal election. The board of supervisors, the House of Delegates, the Senate and the Governor, and the final judges of any election, state, county, town or municipal, may examine the registry books of such election, and reject any returns that are contrary to the provisions of this act.

Return of reg-  
istry books after  
election.

Punishment for obstruction of officer.

16. Any person who shall threaten, intimidate, disturb, obstruct or attempt in any manner to hinder any officer from the discharge of his duties as herein provided, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than five nor more than one hundred dollars, or shall be imprisoned in the county jail not less than five nor more than ninety days for every such offense, at the discretion of the court.

County board, its duty, meetings and compensation.

17. It shall be the duty of the county board of registration to see that the provisions of this act are faithfully carried into effect, and for that purpose may hold meetings at any time they deem proper, but shall receive compensation for not more than ten days service for the first year, and for not more than five days in any subsequent year.

Laws repealed.

18. Sections twenty-fifth and fifty-second of the act entitled "An Act to regulate elections by the people," passed November thirteenth, eighteen hundred and sixty-three, are hereby repealed.

How officers paid.

19. All officers performing service under the provisions of this act, shall receive their compensation as hereinbefore provided, and be paid out of the state treasury upon accounts verified by the affidavit of the claimant, and approved and certified by the circuit court of the respective counties.

Law repealed.

20. The act of the legislature of West Virginia, passed February the twenty-fifth, one thousand eight hundred and sixty-five, entitled "An Act to amend the laws relating to elections by the people," shall remain in force until the first registration of voters shall have been completed, according to the provisions of this act, when the said act of February twenty-fifth shall stand repealed. Provided any persons absent in the service of the United States or of this state shall be permitted to vote without registration under the laws now provided in such cases.

Proviso.

CHAP. 79.—An ACT for the relief of John B. Baumgardner.

Passed February 26, 1866.

Be it enacted by the Legislature of West Virginia:

Release from payment of money.

That John B. Baumgardner, collector of the county of Cabell for the years eighteen hundred and sixty-one and eighteen hundred and sixty-two, is hereby released from the payment of the sum of four hundred and ninety-six dollars, which was captured and taken from John M. Smith, his deputy as collector aforesaid.

CHAP. 80.—An ACT to repeal a part of section 2 of chapter 58 of the code of Virginia.

Passed February 26, 1866.

Be it enacted by the Legislature of West Virginia:

1. So much of section two of chapter fifty-eight of the code of Virginia, of eighteen hundred and sixty, forbidding a director or

officer of one bank from acting as a director or officer of another, as is contained in the following words: "And if a director or officer of one bank or branch become a director or officer of another, the acceptance of the latter shall vacate the former," is hereby repealed.

Officer of one bank allowed to act as officer of another.

2. All official acts of any director or officer of any national bank within this state, done by virtue of his being or having been a director or officer of any state bank, are hereby legalized, and all acts done by the said officers in any of the said state banks are also legalized.

Acts of certain bank officers legalized.

CHAP. 81.—An ACT making an Appropriation to Robertson Cook.

Passed February 26, 1866.

Be it enacted by the Legislature of West Virginia:

The sum of seven hundred and thirty-two dollars and fifty cents is hereby appropriated, out of any money in the treasury not otherwise appropriated, to pay Robertson Cook for supporting and maintaining, in the county of Wyoming, since the twenty-first day of December, eighteen hundred and sixty-one, Charlotte Meadows, a lunatic.

Appropriation.

CHAP. 82.—An ACT for the relief of Amos Samples, of Upshur county.

Passed February 26, 1866.

Whereas, Amos Samples, belonging to the militia of Upshur county, when in the discharge of his duty, under the order of the Governor, was wounded by a musket ball in the thigh, resulting in the amputation of his leg, and long confinement on account thereof: Therefore,

Preamble.

Be it enacted by the Legislature of West Virginia:

1. That there shall be paid out of any money in the treasury not otherwise appropriated, two hundred and fifty dollars, to the said Amos Samples.

Appropriation.

2. Such sum shall be paid by order of the governor to the said Amos Samples, or his heirs, and shall not be liable to the payment of any debts contracted prior to the passage of this act.

How paid.

CHAP. 83.—An ACT concerning the fiscal year.

Passed February 26, 1866.

Be it enacted by the Legislature of West Virginia:

1. The fiscal year shall hereafter commence on the first day of October, and end on the thirtieth day of September; and the fiscal year eighteen hundred and sixty-six shall end on the thirtieth day of September of said year.

Commencement and end of fiscal year.

Law repealed.

3. Chapter forty-seven of the acts of eighteen hundred and sixty-five, is hereby repealed.

CHAP. 84.—An ACT constituting the bank of the Potomac river in Morgan county, a lawful fence.

Passed February 26, 1866.

Be it enacted by the Legislature of West Virginia :

Part of bank specified.

1. The south bank of the Potomac river in the county of Morgan, from the mouth of Cherry run to the mouth of Stony run on the Jones farm on the Baltimore and Ohio railroad, in the limits of said county, is hereby constituted a lawful fence.

Fences not required.

2. The owners or occupiers of lands bordering on said river and within said county of Morgan, need not keep up fences along the bank of said river, except where public crossings or public roads running parallel therewith shall require it. Provided said landholders or occupiers put up or cause to be put up a continuous line of fence on the south side of the Baltimore and Ohio railroad between the points designated.

Proviso.

Commencement of act.

3. This act shall be and remain in force from and after the first day of April, eighteen hundred and sixty-six.

CHAP. 85.—An ACT to incorporate the Potomac and Piedmont Coal and Railroad Company.

Passed February 26, 1866.

Be it enacted by the Legislature of West Virginia :

Corporators.

1. That H. G. Davis, T. B. Davis, W. R. Davis and W. J. Armstrong, of West Virginia, J. Philip Roman, of Cumberland, Maryland, James Boyce and R. G. Reiman, of Baltimore, Maryland, and such other persons as may become associated with them in the manner hereinafter provided, shall be and they are hereby constituted a body politic and corporate, by the name of "The Potomac and Piedmont Coal and Railroad Company," and by that name shall have succession, and have power to sue and be sued in any court whatever, and may have and use a common seal, and the same alter and renew at pleasure, and shall have all the powers, rights and franchises necessary and proper for the carrying on the mining of coal, the building of manufactories, saw mills or furnaces, the burning of brick, the manufacturing of lumber and the buying and disposing of the same, together with the right to buy and sell real estate, and for the transportation of coal and other products of its mines and property to market, and shall have power and authority to make and pass such by-laws, rules and regulations for the management and government of the affairs of said corporation and its officers, directors and agents, as may be deemed necessary or proper, which may also be amended, changed or repealed at any and all regular meetings of the stockholders of said company : provided, however, that such by-laws shall not be repugnant to any law of this state or of the United States.

Powers of corporation.



2. That the capital stock of said company shall not exceed the sum of five millions of dollars, to be divided into shares of one hundred dollars each, and shall be considered as personal property, and shall be transferable in such manner as may be provided by the by-laws of said company; and each share thereof shall entitle the holder thereof to one vote in all meetings of the stockholders of said company, to be given either in person or by proxy; and for the purpose of obtaining subscriptions to the said capital stock, books shall be opened under the direction of the said H. G. Davis, T. B. Davis, W. R. Davis and W. J. Armstrong, of West Virginia, J. Philip Roman, of Cumberland, Maryland, R. G. Reiman and James Boyce, of Baltimore, in the state of Maryland, or a majority of them, at such times and at such place or places as the persons who may act in that behalf shall deem expedient, and payment may be made for the whole or any part of such subscriptions either in land or other property, or money, and if lands or other property, then at such price and valuation as may be agreed upon by those receiving such subscriptions, and in case the said company shall organize and proceed to act as a corporate body before a sufficient amount is subscribed to the said capital stock for the lawful purposes of said company, the president and directors of said company shall have power at any time thereafter, and as often as they may deem necessary, and without opening anew books of subscription, to receive further subscriptions to said capital stock, and to augment the same to such extent as may be authorized and fixed at any general meeting of the stockholders of said company, not to exceed five millions of dollars; and it may be lawful for all persons and bodies corporate or politic whatsoever, to become subscribers for and owners of the capital stock of said company.

Capital stock.

Subscriptions.

3. That the affairs of said company shall be managed by the persons named in the first section of this act, who are hereby constituted directors of said company until directors shall be elected as hereinafter provided, and in case of the decease of one or more of said persons, or their refusal to act as directors, the remaining person or persons shall have power to select other persons as directors for the time being in their stead, and whenever an amount of the capital stock of said company shall be subscribed, sufficient, in the judgment of said directors to justify it in proceeding to the prosecution of its business, a general meeting of the subscribers to the stock of said company shall be held at such time and place as the directors for the time being may appoint, for the purpose of electing a president and directors of said company, to serve for one year thereafter, and until the next election shall be held, and subsequent elections for president and directors of said company, shall be annually held thereafter, at such times and places as the by-laws of said company may prescribe, and the said directors of said company shall have all the powers and authority given to them by this act, and such other power and authority not inconsistent with the provisions of this act, nor with the laws of this state or of the United States, as may be conferred on them by the resolutions and by-laws of said company.

President and directors.

Elections therefor.

Powers of president and directors.

4. That the directors of said company shall consist of such number not less than five nor more than ten, as the by-laws of said company may prescribe, all of whom shall be stockholders in said company, and the president and directors of said company shall have the power to appoint and remove all officers, servants and agents of the company, to manage and conduct all its business of every kind, to borrow money at any time and from time to time, for the use of the said company, and to execute, if deemed by them necessary and expedient, any deed or deeds of mortgage or trust as security for the payment and fulfillment of any or all of its debts, contracts or liabilities.

Meetings.

5. That all meetings of the stockholders of said company may be held at such place or places as the directors of said company may from time to time appoint; and all meetings of the president and directors of said company may also be held at any place or places which the president of said company may from time to time appoint; and in all meetings of the stockholders, a majority of said stockholders, and in all meetings of said president and directors, a majority of said president and directors, shall constitute a quorum for the transaction of business.

Construction and route of railroad.

6. That the said company be and the same is hereby invested with all and singular the rights, power and authority necessary to enable it to locate, construct and maintain such railroad or railroads as the directors may deem necessary for the convenient transaction of its business from any point on the line of the Baltimore and Ohio railroad along the waters of the north branch of the Potomac river, or any of its tributaries to any lands or mines owned by said company in the counties of Mineral, Grant, Tucker and Greenbrier, with the privilege of extending it to the town of Piedmont in the county of Mineral, and also with the privilege of making a connection with the Loudoun and Hampshire railroad or any other railroad, with the power and authority to build, construct and equip such lateral road or roads as may be deemed necessary for the purposes of this act, and with power and authority to charge and collect tolls on passengers and freight, and for these purposes the said company shall be and is hereby invested with all and singular, the rights, powers, immunities, franchises and privileges, for the surveying, locating and constructing of such railroad or railroads, and for the working, repairing, preserving and controlling the same, and the necessary vehicles and appurtenances thereto belonging, and every part thereof which the Baltimore and Ohio railroad company enjoys under the act incorporating said company and the acts amendatory and supplementary thereto, and subject to any of the laws of this state, as if the same were hereby expressly enacted.

Connections and lateral roads.

Location of road

7. For the purpose of laying out and locating their railway and branches, the president and directors, with their engineers and agents, shall have full power and authority to enter upon, and pass through and over any lands on the contemplated route, and to occupy the same so long as necessary for locating the said road. But the

said company, in locating the said railway, branches, depots or stations, shall not throw open any fences or enclosures on any land, or in any way injure the property of the owner or occupier, without his consent, or invade the dwelling house of any person, or any space within sixty feet thereof, without like consent. And when the line of the said way is located, if the owners of said lands or their agents, and the officers and agents of said company, cannot agree upon the value of such lands as the said company may deem necessary to use and occupy for their railway, depots, warehouses and stations, the said company may have and hold the said lands for their use, in the manner following, to-wit: The said company shall make out a particular description of said lands in writing, and file it in the office of the clerk of the circuit court of the county in which the lands are located, stating therein the sum they propose to pay therefor, and also file therewith a bond with securities to the satisfaction of the judge of the said court, conditioned to pay all that may be recovered against them as hereinafter provided; and thereupon they may enter upon and take possession of said lands and proceed at once to appropriate and use the same for the purposes designated in the said description; but in no case shall the amount of land for the track of said road exceed sixty feet in width, except in case of cuts or fills, when the width may be one hundred and twenty feet; and the party or his agent, owning the said land, may file with the said clerk of said court, his or her claim therefor, in which shall be stated the sum he or she may demand for said land; and the said court shall thereupon appoint five disinterested persons for the purpose of ascertaining a just compensation for the said land, any three of whom may act; and the sheriff after the said appointment is made shall summon the said viewers to meet on the said land at such time as he may appoint, giving at least ten days notice to the parties interested. And the sheriff shall administer an oath to the viewers, which he is hereby empowered to do, that they, and each of them, will fairly, impartially and honorably assess, fix and determine the amount said railway company shall pay for the use of said land, and return their report in writing under their hands and seals, setting forth the amount, if any, to be paid by the said railway company; which report shall be certified by the said sheriff; and on the first day of the next term of the court, the judge of the said court shall direct judgment to be entered upon said report, if no exception be taken and filed thereto by either party; but if exceptions be filed, the court shall decide according to the evidence before it; and after judgment is entered upon said report, the company shall hold said land by a good indefeasible title, subject only to the payment of the said judgment. The judge shall have power to determine and order which party shall pay the costs of such proceeding.

Injury to private property prohibited.

Condemnation of lands for use of railroad.

8. That nothing herein contained shall be construed to give to the said company banking privileges.

Company not to have banking privileges.

9. The legislature reserves the right to alter or amend this act, but such alteration or amendment shall not affect or impair the right of

Alteration of charter.

the creditors of the corporation to have the property and assets thereof applied in discharge of their respective claims, or of the stockholders to have the surplus which may remain after providing for the debts and liabilities of the corporation, distributed among themselves according to their respective interests.

CHAP. 86.—An ACT to amend an act to incorporate the town of Piedmont, in the County of Mineral (late Hampshire.)

Passed February 27, 1866.

Be it enacted by the Legislature of West Virginia:

Town incorpo-  
rated.

1. That the town of Piedmont, in the county of Mineral, as laid out into lots, streets and alleys by the New Creek Company and Owen D. Downey, and as may hereafter be laid out into lots, streets and alleys, with the consent of the proprietors of adjacent lauds, be and the same is hereby incorporated by the name of the town of Piedmont, and by that name shall have and exercise all the powers conferred upon towns according to the laws of West Virginia, and laws amendatory thereof, and be subject to the provisions of said laws, so far as not inconsistent with this act.

Officers of town.

2. The voters of said town who may have resided therein for six months next preceding an election, and who are qualified to vote for members of the general assembly, shall annually elect a mayor, six trustees (who shall compose the council, and a majority of whom may act,) and a sergeant and recorder. The said officers shall hold their offices until their successors are elected and qualified. The sergeant of said town, within the limits thereof, may act as a constable, and as such may exercise the same powers, perform the same duties and be subject to the same penalties, prescribed by the laws of West Virginia.

Mayor.

3. The mayor shall be *ex officio* president of the council, and shall have jurisdiction concurrent with a justice of the peace within the limits of the corporation, and especially in adjudication and enforcement of all cases arising under the corporation laws of said town.

Interference  
with railroads  
forbidden.

4. The authorities of said town shall not have power or authority to pass any by-law or ordinance or to do any act to prevent, obstruct or in any manner interfere with the passage through the streets of said town, of the Alexandria, Loudoun and Hampshire railroad, or any railroad which now is or may hereafter be authorized to pass through said town.

Powers of  
council.

5. The council shall judge of the returns by the sergeant of the election and qualifications of the persons returned, may fine members of their body for disorderly behavior, and with the concurrence of two-thirds expel a member; if any persons returned be adjudged disqualified, or expelled, or any vacancy occurring otherwise during the term

for which any of the said persons may have been elected, may be filled by the council by the appointment of any one eligible, for the unexpired term.

6. This act shall be in force from its passage, and may be repealed, altered or amended, at the pleasure of the general assembly.

*Alteration of charter.*

CHAP. 87.—An ACT to authorize the Board of Trustees of the Presbyterian Church of Buckhannon to sell a certain lot.

Passed February 27, 1866.

Be it enacted by the Legislature of West Virginia:

That the board of trustees of the Presbyterian church of Buckhannon are hereby authorized to sell the lot of ground owned by said church, in the said town of Buckhannon, and invest the proceeds of said sale in other property for the use and benefit of said church.

CHAP. 88.—An ACT to amend and re-enact the 1st Section of Chapter 5 of the Acts of 1864.

Passed February 27, 1866.

Be it enacted by the Legislature of West Virginia:

Section one of chapter five of the acts of eighteen hundred and sixty-four, is amended and re-enacted so as to read as follows:

“In criminal and civil cases, jailors shall be entitled to charge the following fees: For receiving a person in jail when first committed, twenty-five cents; for keeping and supporting him therein for each day, fifty-five cents; for discharging him therefrom, twenty-five cents.”

*Jailors' fees.*

CHAP. 89.—An ACT to amend the law in relation to the competency of Witnesses.

Passed February 27, 1866.

Be it enacted by the Legislature of West Virginia:

1. No person shall be incompetent as a witness on account of race or color.

*None incompetent on account of race or color.*

2. Section twenty of chapter one hundred and seventy-six of the code of Virginia, second edition, and all acts or parts of acts conflicting with the foregoing section, are hereby repealed.

*Laws repealed.*

CHAP. 90.—An ACT to provide for the Sale of Real Estate returned delinquent for the non-payment of Taxes.

Passed February 27, 1866.

Be it enacted by the Legislature of West Virginia:

1. There shall be a lien upon all real estate for the taxes assessed thereon, and interest upon such taxes at the rate of six per centum, per annum, from the fifteenth day of December, in the year in which

*Lien for taxes.*

Payment of taxes  
to auditor.

the same may have been assessed, until the payment hereof. The auditor shall keep a record of all real estate returned delinquent for the taxes assessed thereon for the year eighteen hundred and sixty-five, and every year thereafter. Until a sale thereof, as hereinafter provided, any person may pay into the treasury the taxes on any such real estate, with interest thereon as aforesaid, and upon the presentation of the treasurer's receipt therefor, the auditor shall give to such person a certificate that the delinquent taxes on such real estate have been paid. For every such certificate, the person obtaining the same shall pay the auditor a fee of one dollar. The interest mentioned in this section shall not be charged on any tax on land not returned delinquent.

Auditor to de-  
liver lists of  
delinquent real  
estate to sheriffs.

2. In the month of May, June or July, in the year eighteen hundred and sixty-seven, and in one of those months every two years afterwards, the auditor shall cause to be delivered to the sheriff of each county, a list of the real estate therein, which has been returned delinquent for the non-payment of the taxes assessed thereon for the two preceding years, and on which the taxes remain unpaid; with a statement of the amount due for the taxes on each tract or town lot so returned, and for interest on such taxes, computed to the first day of September, in the year in which such sale is to be made.

Lists of delin-  
quent real estate  
in new counties.

3. When in the year eighteen hundred and sixty-seven, or any other year in which, by the preceding sections, the auditor is required to cause to be delivered to the sheriff lists of real estate returned delinquent for the non-payment of taxes, any new county shall have been formed, the assessors of the counties from which the same is formed, shall, as soon as practicable, furnish to the auditor lists of the real estate within the parts of such new county, taken from the several counties of which they are assessors, which has been returned delinquent since the last sale of delinquent lands in their respective counties, in order that the auditor may cause such lists to be delivered to the sheriff of such new county.

Sheriff's notice  
of sales.

4. Within twenty days after receiving such lists, such sheriff shall make out three copies thereof, and set up one of them at the front door of the court house, and the others at two of the most public places in his county. To each copy he shall subjoin a notice that the real estate therein mentioned, or so much thereof as shall be sufficient to satisfy the taxes on the same, with the interest, and commissions of five per cent to the sheriff, will be sold at public auction between the hours of ten in the morning and four in the evening, on the first day of a term of the circuit court held for his county in the succeeding September or October, or on the second Monday of one of those months, at the front door of the court house thereof, unless the said taxes, interest and commissions shall be previously paid. Such lists and notices shall be advertised for four successive weeks in some convenient newspaper, the expense of which shall be apportioned among the delinquents, according to the amount of taxes due by them respectively, and shall be added by the sheriff previous to the sale.

Advertisement  
of same.

5. If the said taxes, interest and commissions, and a due proportion of said expense, be not previously paid, the said sheriff shall proceed to make sale accordingly, and the sale may be continued from day to day, between the hours aforesaid, until completed. The sale of the tracts of land and the town lots shall be of each tract, and the town lot separately, or of such quantity or part thereof as shall be sufficient to satisfy the taxes, with the interest, commissions and the proportionate expenses, as aforesaid.

6. If the sheriff or collector conducting the sale shall directly or indirectly purchase any real estate so sold, he shall forfeit fifty dollars for every such purchase, and the sale shall, moreover, be absolutely void. Sheriff not to purchase.

7. The sheriff on receiving from any purchaser the amount of purchase money, shall grant to him a receipt for the same, to the following effect: "Memorandum of real estate within the county of \_\_\_\_\_, sold this \_\_\_\_\_ day of \_\_\_\_\_, eighteen hundred and \_\_\_\_\_, for the non-payment of taxes thereon for the year \_\_\_\_\_." Receipt for purchase money.

Name of the person charged with taxes.	Quantity of land charged.	Local description of land.	Amount of taxes due.	Quantity of land sold.	Name of purchaser.	Amount of purchase money.

Received of \_\_\_\_\_, the sum of \_\_\_\_\_, being the amount of purchase money for the land mentioned in the above memorandum. \_\_\_\_\_, Sheriff \_\_\_\_\_ County."

8. For every receipt made out according to the said form, and signed by the sheriff, he shall be entitled to receive from the purchaser twenty-five cents. Sheriff's fee therefor.

9. The sheriff shall, within twenty days after such sale, make out a list of the sales, with the following captions thereto: "List of real estate within the county of \_\_\_\_\_, sold in the month of \_\_\_\_\_, eighteen hundred and \_\_\_\_\_, for the non-payment of taxes thereon for the year \_\_\_\_\_." Underneath shall be the several columns with the captions mentioned in the seventh section, and there shall be an additional column showing the date of each sale, unless the sales were all made in one day, in which case the day may be mentioned in the caption. Sheriff's list of sales.

10. Subjoined to the said list shall be the following oath: "I, \_\_\_\_\_, sheriff (or deputy for \_\_\_\_\_ sheriff.) 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 during the present year for the non-payment of the taxes thereon for the year \_\_\_\_\_, and that I am not directly or indirectly interested in the purchase of any of the said real estate, so help me God." Which oath shall be subscribed and taken before some person authorized to administer oaths. Sheriff's oath.

**Return of same.** 11. The said lists, with a certificate of the said oath attached thereto, shall be returned to the recorder of the county in which such sale shall have been made, who shall file the same in his office and certify a copy thereof to the auditor within twenty days after receiving the same.

**Right of redemption.** 12. The owner of any real estate so sold, his heirs or assigns, or any person having a right to charge such real estate for a debt, may redeem the same by paying to the purchaser, his heirs or assigns, within two years from the sale thereof, the amount for which the same was so sold, with such additional taxes thereon as may have been paid by the purchaser, his heirs or assigns, with interest on the said purchase money and taxes, at the rate of twenty per centum per annum from the times that the same may have been so paid.

**Payment of redemption money.** 13. What is authorized by the preceding section to be paid may be paid within two years to the recorder of the county in which such real estate was sold, in any case in which the purchaser, his heirs or assigns, may refuse to receive the same, or may not reside, or cannot be found within the county.

**Survey where part of tract sold.** 14. The purchaser of a part of any tract of land so sold and not redeemed within the said two years, his heirs or assigns shall have the quantity surveyed and laid off at his or their expense, by the surveyor of the county; or, where there shall be no county surveyor, then by a person to be appointed for the purpose by the board of supervisors: the said survey to commence on either of the lines of the tract, at the option of the purchaser, his heirs or assigns, so as not to include the improvements on the same, (if it can be avoided) and to be in one body, the length whereof shall not be more than double the breadth, when that is practicable. A plat and certificate of the survey shall be returned to the recorder, and if, upon examination thereof, he shall find it to be correctly made in conformity with this section, he shall record the same.

**Report where entire tract sold.** 15. When also an entire tract of land is so sold and not redeemed, the purchaser, his heirs or assigns, at his or their expense, shall have a report made by the surveyor of the county in which the same may be situated, to the recorder thereof, specifying the metes and bounds of the land sold and the names of the owners of adjoining tracts, and giving such further description of the land as will identify the same, and the recorder shall record the report in his office.

**Deed to purchaser.** 16. After the expiration of the said two years, the purchaser of any real estate so sold and unredeemed shall obtain from the recorder of the county in which the same was sold, a deed conveying the same, in which shall be set forth all the circumstances appearing in the recorder's office in relation to the sale. If the sale be for a part of a tract of land, the deed shall refer particularly to the plat and certificate of survey returned according to the fourteenth section, and if the sale be of an entire tract, it shall refer to the report made



under the provisions of the fifteenth section of this act. If the sale be of a town lot or of an undivided interest in such lot, and a report be made by a surveyor describing the same, and such report be recorded, the deed shall refer to the said report; but when in the case of a sale of a town lot or an undivided interest in such lot, there is no such report, the recorder shall nevertheless execute a deed therefor to the purchaser if he desire the same. For every deed executed under this section, the recorder shall be entitled to receive one dollar and fifty cents, which the purchaser shall pay him on delivery of the deed.

17. When the recorder is himself the purchaser, the deed for the real estate purchased by him shall be executed by the president of the board of supervisors. Purchase by recorder.

18. When the purchaser has assigned the benefit of his purchase, the deed may be made to such assignee upon the production of the receipt given by the sheriff making such sale, with the assignment of the purchaser duly acknowledged, attached thereto. Deed to assignee.

19. If the purchaser shall have died, the recorder shall execute a deed to his heirs or assigns upon the production of the proper evidence that they are such heirs or assigns. Deed to heirs.

20. If the deed, as provided in this act, be not made within six months after the expiration of the said two years, the former owner, his heirs or assigns, may, before the deed is made, redeem the land by paying such amount with such additional taxes and interest as is mentioned in the twelfth section of this act, and the costs of the survey or report, with the interests thereon, if any shall have been made. Right of redemption before deed is made.

21. When the purchaser of any real estate so sold, his heirs or assigns, shall have obtained a deed therefor according to the provisions of this act, and shall have caused the same to be recorded in the office of the recorder of the county in which such real estate may lie, such estate shall stand vested in the grantee in such deed as was vested in the party assessed with the taxes (on account whereof the sale was made), at the commencement of the year for which such taxes were assessed, notwithstanding any irregularity in the proceedings under which the said grantee claims title, unless such irregularity appear on the face of the proceedings. And if it be alleged that the taxes for the non-payment whereof the sale was made were not in arrears, the party making such allegation must establish the truth thereof by proving that the taxes were paid. Validity of deed.

22. Any infant, married woman, insane person, or person imprisoned when such real estate may have been so sold, may redeem the same by paying to the purchaser, his heirs or assigns, within two years after the removal of the disability, the amount for which the same was so sold, with the necessary charges incurred by the purchaser, his heirs or assigns, in obtaining the title under the sale, and

such additional taxes as may have been paid by the purchaser, his heirs or assigns, and interest on the said items at the rate of ten per centum per annum from the time the same may have been paid. Upon such payment the purchaser, his heirs or assigns, shall, at the cost of the original owner, his heirs or assigns, convey to him or them, by deed, with special warranty, the real estate so sold.

Purchase by  
sheriff for the  
state.

23. When any real estate is offered for sale as aforesaid by the sheriff, and no person present bids the amount to be satisfied from the sale thereof, the sheriff shall purchase the same on behalf of the state, for the taxes thereon, and interest on the same, and its proportion of the expense of advertising. A list of the real estate so purchased by the state shall be made in the form prescribed in section nine, except that there shall be added to the caption thereof, the following: "And no person present having bid the amount to be satisfied from the sale thereof, was purchased by the sheriff on behalf of the state," and that the column for the "name of the purchaser," shall be omitted. The sheriff shall verify such list on oath before some person authorized to administer the same, and shall, within twenty days after such sale, deliver it to the recorder of his county, who shall certify the original list to the auditor after making a copy thereof, which copy he shall deliver to the assessor of the county, or if there be two assessors, then a copy to each of them, within sixty days after such list shall have been delivered to him by the sheriff. The list for the auditor he shall place in a sealed enclosure, directed to that officer, and deliver it to the sheriff within twenty days after the same shall have been received by him as aforesaid. Upon receiving the said list the auditor shall credit the sheriff with the amount for which the said real estate may have been so purchased, but not with any commissions thereon.

Sheriff's list  
thereof.

Record of lists.

24. The auditor shall cause all the lists received in his office, under the preceding section, to be recorded in a well bound book, and all the real estate mentioned in such lists shall, without any deed for the purpose, stand vested in the state.

Redemption of  
real estate pur-  
chased for state.

25. The previous owner of any real estate so purchased for the state, his heirs or assigns, or any person having a right to charge such real estate for debt, may, within five years after such sale, redeem the same by paying into the treasury the amount for which the same was so sold, with interest thereon at the rate of ten per centum, with such additional sums as would have accrued for taxes thereon if the same had not been purchased by the state, with interest on such taxes at the rate of ten per centum per annum from the fifteenth of December in the year in which the same would have accrued, and obtaining from the auditor such certificate and paying such fee therefor as is mentioned in the first section of this act. When real estate so purchased is redeemed, the auditor shall certify the fact to the proper assessor, who shall re-enter the same upon his land book.

26. Whenever all the lists of real estate returned delinquent for the non-payment of the taxes assessed thereon, for the years eighteen hundred and sixty-one, eighteen hundred and sixty-two, eighteen hundred and sixty-three and eighteen hundred and sixty-four, in any county in which the same has not been sold for said years, shall have been received by the auditor, he shall, in the month of May, June or July, next after the last of such lists is received, cause to be delivered to the sheriff of the county in which the taxes were assessed, a list of such real estate on which the taxes remain unpaid and not exonerated by article nine of the constitution, and the said sheriff shall proceed to sell and make return of the same according to the provisions of this act.

Duty of auditor  
after receipt of  
lists.

27. The real estate embraced in the lists which the auditor shall cause to be delivered to any sheriff, shall be deemed to be sold when delivered, and the proceeds thereof shall be deemed at least equal to the sums to be satisfied therefrom, and the sheriff shall be debited with the same, and he shall, within six months after the delivery of said lists, pay into the treasury the sum due the state, after crediting him with the list mentioned in the twenty-third section of this act. But a sheriff whose court house is more than one hundred and fifty miles from the seat of government, shall be allowed an additional day for every thirty miles of such excess. On such sums as he shall pay into the treasury within the time prescribed, every sheriff shall be entitled to receive a commission of five per centum.

Duty of sheriff  
after sale.

28. At the expiration of five years from the time such real estate shall have been purchased by the state as aforesaid, or at the sales thereof, made in the year eighteen hundred and sixty-five, the auditor shall certify and transmit to the clerk of the circuit court for the county in which the same may lie, a list of all such real estate upon which the taxes and interest and expenses of sale, as aforesaid, remain unpaid, and proceedings shall be had thereon according to the provisions of chapter ninety-two of the acts of eighteen hundred and sixty-five.

Duty of auditor  
five years after  
purchase for the  
state.

29. For services rendered by the recorder under this act, he shall be entitled to receive the same fees as for similar services in other cases.

Fees of  
recorder.

30. Any officer failing to perform the duties required by this act, shall forfeit for each failure not less than ten nor more than two hundred dollars.

Failure of officer  
in his duty.

31. The word "sheriff," wherever it occurs in this act, shall be held to include and mean any collector or other person duly authorized to perform the duties of sheriff.

Meaning of  
word "sheriff."

32. Chapter thirty-seven of the code of Virginia, second edition, and chapter fifty-four of the acts of the general assembly of Virginia, passed February fourth, eighteen hundred and sixty-two, are hereby repealed.

Laws repealed.

Redemption of  
lands sold in  
1865.

83. Lauds sold in the year eighteen hundred and sixty-five, for non-payment of taxes, shall be redeemed according to the provisions of this act, and if not so redeemed, conveyances shall be made to the purchasers thereof, according to the provisions of this act.

CHAP. 91.—An ACT in relation to the Statutes of Limitation.

Passed February 27, 1866.

Be it enacted by the Legislature of West Virginia :

Certain time  
excluded from  
computation in  
certain counties.

In computing the time within which any civil suit or proceeding in trespass or case shall be debarred by any statute of limitation in the counties of Pendleton, Hardy, Grant, Monroe, Wayne, Putnam, Calhoun, Gilmer, Kanawha, Doddridge, Harrison, Upshur, Marion, Taylor, Lewis, Hampshire, Mineral, Greenbrier, Boone, Logan, Wyoming, McDowell, Mercer, Raleigh, Pocahontas, Webster, Clay, Nicholas, Fayette, Cabell, Morgan, Jefferson, Berkeley and Roane, the period from the first day of March, eighteen hundred and sixty-five, to the date of the passage of this act, shall be excluded from such computation.

CHAP. 92.—An ACT establishing and re-arranging the Tenth and Eleventh Judicial Circuits of this State, and providing for the appointment of a Judge of the Eleventh Circuit.

Passed February 27, 1866.

Be it enacted by the legislature of West Virginia :

Tenth circuit.

1. The counties of Jefferson, Berkeley and Morgan, shall hereafter constitute the tenth judicial circuit.

Eleventh circuit.

2. The counties of Hampshire, Pendleton, Hardy, Grant and Mineral shall hereafter constitute the eleventh judicial circuit.

Appointment of  
judge for  
eleventh circuit.

3. It shall be the duty of the governor, as soon after the passage of this act as practicable, to appoint a judge for the eleventh circuit, who shall hold his office until his successor is elected and qualified. An election for a judge of said circuit shall be held therein at the next annual election for members of the legislature.

CHAP. 93.—An ACT fixing the times of holding the Courts in the several Counties of the Tenth and Eleventh Judicial Circuits.

Passed February 27, 1866.

Be it enacted by the Legislature of West Virginia :

Tenth circuit.

1. The commencement of the terms of the circuit courts in the several counties of the tenth judicial circuit shall hereafter be as follows :

For the county of Morgan, on the second Monday of March, May, *Morgan*.  
September and November.

For the county of Berkeley, on the third Monday of March, May, *Berkeley*.  
September and November.

For the county of Jefferson, on the second Monday of April, June, *Jefferson*.  
October and December.

2. The commencement of the terms of the circuit courts in the *Eleventh circuit*.  
several counties of the eleventh judicial circuit shall hereafter be as  
follows :

For the county of Hampshire, on the first Monday of March, May, *Hampshire*.  
September and November.

For the county of Hardy, on the third Monday of March, May, *Hardy*.  
September and November.

For the county of Pendleton, on the first Monday of April, June, *Pendleton*.  
October and December.

For the county of Grant, on the second Monday of April, June, *Grant*.  
October and December.

For the county of Mineral, on the third Monday of April, June, *Mineral*.  
October and December.

CHAP. 94.—An ACT to incorporate the North West Vir-  
ginia Agricultural Society.

Passed February 27, 1896.

Be it enacted by the Legislature of West Virginia :

1. That Curtis P. Brown, William F. Peterson, jr., James C. Orr,  
John K. Botsford, Thomas P. Shallcross and Alexander Laughlin,  
and their associates, be and they are hereby created a corporation by  
the name and style of "The North West Virginia Agricultural  
Society," so soon as they shall in all things comply with and fulfil the  
terms of the act entitled "an act providing for the formation of cor-  
porations and regulating the same," passed October twenty-sixth,  
eighteen hundred and sixty-three, and shall have obtained the certifi-  
cate of the secretary of the state, mentioned in the ninth section  
of the said act.

When incorpo-  
ration to take  
effect.

2. The only purpose and object of the said corporation shall be to  
advance and improve the condition of agriculture, horticulture, flori-  
culture, stock and domestic animals, and the manufacturing, mechan-  
ical and mining arts, with such additional and other objects as may  
be advantageously connected therewith.

Object of corpo-  
ration.

3. The said corporation shall be authorized to purchase and hold  
not exceeding twenty acres of land, within the limits of the city of  
Wheeling, and should said purchase be made upon Zane's Island, of  
the land heretofore and for many years occupied by "The Virginia  
Northwestern Agricultural Society," and commonly known as the  
"Fair Grounds," the streets and alleys intersecting the same, if any  
there be, shall be and the same are hereby vacated.

Purchase of  
land.

Vacation of  
streets.

CHAP. 95.—An ACT to charter a road in Gilmer, Ritchie and Tyler counties.

Passed February 27, 1866.

Be it enacted by the Legislature of West Virginia :

- Route of road. 1. That a road leading from the Staunton and Parkersburg turnpike road, at or near the forks of Horn creek in the county of Gilmer, by way of Pennsboro, in the county of Ritchie, to the mouth of Big run, on Middle Island creek, in Tyler county, is hereby chartered.
- Grade. 2. The grade of said road shall not be over five degrees, and not less than twelve feet wide, between the ditches. The capital stock of the company shall be thirty thousand dollars, in shares of ten dollars each ; that they shall have power to organize when one thousand dollars shall be subscribed.
- Commissioners. 3. The following commissioners are authorized to open books and keep them open as the law requires, at such places as they may think best, and to employ engineers, &c., and to proceed as the law directs ; Philip Cox, Andrew Law, George Pritchard, Archibald C. Bernard, Martial M. Martin, David A. McGinnis and Daniel Haymond.

CHAP. 96.—An ACT concerning cases transferred from the Supreme Court of Appeals and District Courts of Virginia, to the Supreme Court of Appeals of West Virginia.

Passed February 27, 1866.

Be it enacted by the Legislature of West Virginia :

- Further time for docketing cases allowed. Proviso. 1. That further time, until the close of the first term of the supreme court of appeals of this state, to be held in the year one thousand eight hundred and sixty-seven, be given to the appellants or plaintiffs in error in cases pending in the supreme court of appeals of Virginia, and the district courts thereof, on the nineteenth day of June, one thousand eight hundred and sixty-three, and which were transferred to the supreme court of appeals of West Virginia by an act entitled "An act defining the jurisdiction and power of the supreme court of appeals, and the judges thereof," passed July twentieth, one thousand eight hundred and sixty-three, to procure and deliver to the clerk of the supreme court of appeals of this state, proper copies of the records in said courts, and to cause them to be docketed in said court last mentioned : provided, however, that nothing in this act contained shall be construed to apply to any case which shall have been heretofore dismissed by the said court of appeals of this state, for the failure of the appellant or plaintiff in error therein to comply with the provisions of the act above mentioned, and such dismissal certified to the circuit court in which the judgment, decree or order complained of was ordered or made, but such dismissal shall remain in force and have the same effect as if this act had never been passed.

2. If the appellant or plaintiff in error in any cause so pending as aforesaid, in either of the courts heretofore mentioned on the day above named, shall fail to procure and deliver to the clerk of the supreme court of appeals a proper transcript of the record thereof, and cause the same to be docketed in the supreme court of appeals within the time limited and allowed by this act, it shall be the duty of said court, at any time thereafter, upon the motion of the appellee or defendant in error, to cause the said cause to be entered dismissed upon the record, with or without cost as may to the court appear just and proper, and to certify such dismission to the circuit court in which the judgment, decree or order complained of was rendered or made.

Dismission  
of cause on  
failure to so  
docket.

### CHAP. 97.—An ACT for the relief of State and Home Guards.

Passed February 27, 1866.

Whereas, during the rebellion, in many counties of this state, rebel guerrillas and horse thieves were sheltered and aided by resident sympathizers while in their lawless excursions, and, whereas, the said sympathizers, after being remonstrated with, still continued to connive at and abet such guerrillas in their lawless raids, it became necessary to institute retaliatory measures, and there was a levy made against said sympathizers, to indemnify union men for property which was stolen and destroyed by said guerrillas, which levy was collected and applied by and through the state or home guards, for such purpose, all of which was done in good faith, that such levy and collection was in accordance with orders issued by the military commanders of the department, and whereas, now that the war is over, said sympathisers have now come into our courts and brought suits against the collectors and distributors of said levies and indemnities ; Therefore,

Preamble.

Be it enacted by the Legislature of West Virginia :

1. No suit or action shall be maintained in the courts of this State, against any person for any act done in the suppression of the late rebellion ; and it shall be a sufficient defense to such suit or action to show that such act was done in obedience to the orders, or by the authority of any civil or military officer of this state, of the reorganized government of Virginia, or the government of the United States ; or that said act was done in aid of the purposes and policy of said authorities, in retarding, checking and suppressing the late rebellion.

No suit to be  
maintained for  
acts against the  
rebellion.

2. All suits brought, or that may hereafter be brought, against the state or home guards to recover back the sum or sums collected as aforesaid and paid to the parties robbed as aforesaid, shall be dismissed at the plaintiffs' cost.

Dismission of  
suits.

CHAP. 98.—An ACT to amend and re-enact the Charter of the town of Sistersville, in the County of Tyler.

Passed February 27, 1866.

Be it enacted by the Legislature of West Virginia :

The charter of the town of Sistersville, in the county of Tyler, is hereby amended and re-enacted so as to read as follows :

**Corporate limits.**

1. The corporate limits and boundaries of the town of Sistersville, shall be as follows: Beginning at the Ohio river below the centre of Diamond street, thence up said river and with the same, eighty-four poles to a stone, thence south thirty-five degrees east, seventy-six poles to a stone, thence south forty-one degrees west, one hundred and fifty-four poles to a stone, thence north thirty-five degrees west, ninety-eight poles to said river, and up said river and along the same, sixty-five poles to the place of beginning.

**Municipal authorities.**

2. The municipal authorities of said town shall be a mayor, recorder and five councilmen, who together shall form a common council. They shall be elected by the citizens of said town entitled to vote under this act, for one year, unless chosen to fill a vacancy, and until their successors shall have been elected and qualified, and shall be residents of said town entitled to vote for members of its common council.

**Corporation.**

3. The mayor, recorder and councilmen, so soon as they have been elected and qualified, shall be a body corporate by the name of "The Town of Sistersville," and shall have perpetual succession and a common seal, and by that name may sue and be sued, may rent or purchase and hold real estate necessary to enable them to discharge their duties, and needful for the good order, government and welfare of said town. The corporate powers thereof shall be exercised by said council, or under their authority, except where otherwise provided.

**Town officers.**

4. There shall be a town sergeant, a treasurer and assessor 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 said council.

**Elections.**

5. The first election under this act shall be held on the fourth Thursday in March, eighteen hundred and sixty-six, at the place in said town where the board of trustees meet, under the supervision of a justice of Lincoln township, and annually thereafter there shall be an election on the same day in each year, at such place and under such supervision as the council of said town may prescribe. The person conducting the first election, shall give a certificate of the persons elected, and deliver the same to the clerk of the board of trustees of said town, who shall notify the persons so elected of the same, and their term of office shall commence on the first Monday of April next after their election. Said certificate shall be entered on the records of said council.



6. All persons resident in said town, and entitled to vote for county and township officers, shall be entitled to vote for mayor, recorder and councilmen. At all elections the vote shall be by ballot, and when two or more persons for the same office at any election shall receive an equal number of votes, the person or persons conducting such election shall decide which of said persons shall be returned elected. And all contested elections shall be determined by the council for the time being, and when a vacancy shall occur from any cause in the office of mayor, recorder, or in the council, the vacancy shall be filled by appointment of the council.

Same subject.

How vacancies filled.

7. The mayor, recorder, councilmen, sergeant, treasurer and assessor shall each, before entering upon the duties of his office, and within ten days after notice of his election, make oath or affirmation before an officer authorized to administer oaths, as required of officers by the act of November sixteenth, eighteen hundred and sixty-three, that they will well, truly and impartially discharge the duties of their said offices respectively. The mayor having taken such oath or affirmation, may administer the oaths aforesaid to the other officers and councilmen. Certificates of said oaths or affirmations shall be recorded in the journal of the proceedings of the council; and where any four of the councilmen shall have been so qualified, they shall enter upon their said offices and supersede the former councilmen.

Oaths of officers.

8. If any one elected mayor, recorder or councilman shall not have been eligible, or shall fail or refuse to take the oath or affirmation required by this act, within the ten days aforesaid, or shall die or remove from said town, such office shall be declared vacant, and the vacancy filled as hereinbefore prescribed, but in all cases from the citizens of the town eligible to such office under this act.

How vacancies may occur.

9. The council shall be presided over at its meetings by the mayor, or in his absence by one of the councilmen, chosen by a majority of the council present, and a majority of the council shall be necessary to constitute a quorum to do business. The council shall cause to be kept in a journal an accurate account of its proceedings, by-laws, acts and orders, which shall be open to the inspection of the voters of the town. The proceedings of the last meeting shall be read to the council, corrected when necessary, and signed by the person presiding for the time being. Upon the call of any member, the ayes and noes on any question shall be called and recorded in the journal. The mayor shall vote only in cases of a tie, and shall have the casting vote.

Council.

10. The council 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 to light the same, as well as the streets and alleys now open, and to have said streets and alleys kept in good order and free from obstructions on or over them; to regulate the width of the sidewalks and streets, and to order the sidewalks, footways and gutters to be curbed, paved and kept in good order, free

Powers of council.

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 abate or cause to be abated anything which, in the opinion of a majority of the whole council, shall be a nuisance; to regulate the keeping of gunpowder and other combustibles; to provide for the burial of the dead, and, for this purpose, may purchase and hold the land necessary for a cemetery, near or convenient to said town, and provide for its improvement and security; to provide for making division fences, and for shade and ornamental trees, and against danger or damage from fires or contagious diseases; to organize one or more fire companies, and provide buckets, hooks, ladders and engines, or any of them, for their use; to provide a revenue for the town and appropriate the same, and to provide the annual assessment of taxable persons and property of the town; to adopt rules for the government of its own body; to promote the general welfare of the town, and protect the property and preserve peace and good order therein; to appoint such officers as they may deem proper, including a sergeant, assessor and treasurer; to define their powers and prescribe their duties, fix their term of service and compensation, require and take from them bonds, with such surety 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 by its corporate name); to regulate and provide for weighing and measuring hay, coal and other articles sold or for sale in said town, and to regulate the transportation thereof through the streets, and, generally, to do such things as the council shall deem necessary for the interests, prosperity, peace and good order of the citizens of said town.

**Same subject.**

11. To carry into effect these enumerated powers and all others conferred upon the said town or its council, expressly or by implication, in this or any other acts of the legislature, the council shall have power to adopt and enforce all needful orders, by-laws and ordinances, not contrary to the constitution and laws of this state, 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, or the person lawfully exercising his functions. The council, with the consent of the supervisors of Tyler county, entered of record, may have the right to use the jail of said county for any purpose necessary in the administration of its affairs.

**Annual levy.**

12. The annual levy ordered by the council may be upon all male persons within said town over twenty-one years of age, and on all real and personal estate not exempt from state taxation, and all other subjects in said town as may at the time be assessed with state taxes; provided the tax do not exceed seventy-five cents on every one hundred dollars of the value of the real and personal property;

or one dollar per head on each taxable person. So much of the land within the corporate limits of said town, as shall be worked for farming purposes, exceeding one acre in an enclosure, shall be exempt from taxation by said council, during the year it shall be so used.

Certain lands  
exempted  
therefrom.

13. When anything for which a state license is required is to be done within the said town, the council may require a town license to be had for doing the same, and may impose a tax thereon for the use of the town, and the council may in any case require from the person so licensed a bond with sureties in such penalty and with such condition as it may determine.

Licenses.

14. The sergeant shall collect the town taxes, fines, levies and licenses, and after thirty days from the time he may receive the books of the assessor of said town, may distrain and sell therefor in like manner as a sheriff may for state taxes, and shall in all respects have the same powers as a sheriff to enforce the payment and collection thereof. He shall act as a conservator of the peace, quell all riots, disperse all unlawful assemblies, and arrest and bring before the mayor all disorderly persons. He shall execute all process issued by the mayor, collect all monies required thereby, and shall exercise the duties of a constable in regard thereto, and receive the same compensation therefor, and be liable under his bond for all money collected by him, to be recovered in the same manner and before the same tribunals, that the same are now recovered against constables.

Duties, powers  
and compensa-  
tion of sergeant.

15. There shall be a lien on real estate for the town taxes assessed thereon, from the commencement of the year for which they are assessed, and the council may order and require the same to be sold or rented by the sergeant at public auction for the arrears, with interest thereon, with such per centum as the council may prescribe for charges and expenses thereof, and may regulate the terms upon, and the time within which the same may be redeemed. No such sale or renting shall be ordered until such realty shall be returned delinquent, and the sale shall be after three weeks notice, published in a newspaper in said county (if any) or by posting said notice at the post office in said town.

Lien and sale  
for taxes on  
real estate.

16. The mayor shall be the chief executive officer of said town; shall take care that the by-laws, ordinances and orders of the council are faithfully executed; shall be *ex officio* a conservator and justice of the peace in the town, and shall within the same exercise all the powers and duties vested in justices, except that he shall have no jurisdiction in civil actions on contract; shall see that peace and good order are preserved, and that persons and property are protected in the town, and may appoint special police officers for that purpose when he deems it necessary; shall have power to issue orders of arrest, and executions for all fines and costs imposed by him, or may require immediate payment thereof, and in default of such payment may commit the party in default to the jail of the county until the

Duties, powers  
and compensa-  
tion of mayor.

fine and costs be paid; but the term of imprisonment in such case shall not exceed thirty days. He shall receive a compensation for his services, to be fixed by the council, which shall not be increased or diminished for the term for which he was elected.

Duties and compensation of recorder.

17. The recorder shall keep a journal of the proceedings of the council, and have charge of and preserve the records of the town, and shall receive a compensation for his services to be fixed by the council, which shall not be increased or diminished for the term for which he was elected.

Duty of treasurer.

18. All moneys belonging to said town shall be paid over to the treasurer, who shall pay out the same upon the order of the mayor, countersigned by the recorder, and not otherwise; and for any default or liability upon the part of the treasurer or the sergeant, the council in the corporate name of said town may on motion, after ten days notice, obtain judgment before the circuit court of said county on account thereof, against them and their securities respectively, or their heirs or legal representatives.

Tax for roads, and labor thereon.

19. The said town and taxable persons and property therein, shall be exempt from all expense or liability for the construction or repair of roads or bridges outside the corporate limits of said town: but nothing in this act shall be construed to exempt the inhabitants of said town from performing work on the roads and bridges outside of said corporation.

Effect of former acts.

20. All rights, privileges and properties of the said town heretofore acquired by any act now in force, shall continue and remain vested in said town by this act, and all laws inconsistent with this act are repealed.

CHAP. 99.—An ACT to provide Indexes to the Journals of the Senate and House of Delegates.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia:

Preparation and printing of indexes.

The clerk of the senate and the clerk of the house of delegates shall each, at the end of every session of the legislature, prepare indexes to their respective journals, and deliver the same to the public printer, who shall print and bind the same with the journals as the index to the acts is printed and bound. As a compensation for preparing said indexes, the per diem of said clerks shall extend for the period of ten days after the adjournment of the legislature.

CHAP. 100.—An ACT to refund the Taxes collected from Soldiers for Bounty purposes.

Passed February 28, 1866,

Be it enacted by the Legislature of West Virginia:

All taxes heretofore collected from any person who has been in the military service of the United States during the late war, and has been or may hereafter be honorably discharged therefrom, or from the widow or heirs of such soldier, for bounty purposes, shall be refunded. Taxes to be refunded.

Provided, that the provisions of this act shall not apply to any person who has volunteered into the service of the United States since the first day of January, eighteen hundred and sixty-four. Proviso.

CHAP. 101.—An ACT to incorporate the Wheeling and Moundsville Turnpike Company.

Passed February 28, 1866.

Be it enacted by the Legislature of West Virginia:

1. It shall be lawful to open books for receiving subscriptions to an amount not exceeding thirty thousand dollars, to be divided into shares of twenty-five dollars each, to constitute a joint capital stock for constructing a turnpike road from the line dividing the counties of Ohio and Marshall to the corporate limits of the town of Moundsville of Marshall county, either upon the bed or track of the Marshall and Ohio turnpike road, heretofore constructed or authorized by law to be constructed, or by such other route or any part thereof, as the corporation hereinafter provided for may determine upon. The said books shall be opened under the direction of Alonzo Loring, Edward M. Norton and John Handlan, of the city of Wheeling, and Shepherd McMechen, Hiram McMechen, V. L. Cockayne, Alfred Tomlinson, William Alexander, George Edwards and Josiah Bryson, of Marshall county, or any one or more of them, and at such place or places and at such times, as a majority of the above named commissioners may appoint; ten days public notice thereof being previously given. Subscriptions.  
Commissioners.

2. When ten thousand dollars of the capital stock shall have been subscribed, the subscribers, their executors, administrators and assigns shall be incorporated into a company by the name and style of "The Wheeling and Moundsville Turnpike Company," subject to the provisions of the code of Virginia, second edition, except that said road may be located at such grade and constructed of such material as the company may deem most expedient. and that it shall be opened through the narrows above the flats of Grave creek at least twelve feet in width, and in other parts thereof thirty feet, with a road bed in other parts either macadamized or covered with gravel, of at least fifteen feet in width. Incorporation.  
Grade and material of road.

3. The company shall first locate and construct that part of said road from its northern terminus to Benwood, in the county of Marshall, and may erect a gate thereon when completed to that point, Construction of road.

for the collection of tolls, not exceeding the rates allowed by law; and shall then locate and construct the remainder of said road to its southern terminus as fast as the funds of the company will permit, and may erect a gate thereon, when opened to the public, for the collection of tolls, but the proceeds of such tolls shall first be applied to keeping said road in good repair, before any dividend be made to the stockholders. Provided, however, that nothing herein contained shall prevent said company from locating and constructing any portion of said road south of Benwood simultaneously with the construction of that portion thereof north of that point, or at any other time upon an amount of stock being subscribed by the land owners along the line of such part of said road, or by other solvent persons, as may be deemed sufficient for the construction of any continuous section of at least two miles of road, such subscription of stock to constitute a separate fund and to be held by the company for the purpose above indicated; nor to prevent the collection of tolls upon any such section not exceeding the rates allowed by law, to be applied first to keeping such part of said road in good repair before dividends on the stock be made to the stockholders of said separate fund.

Proviso.

Subscription by  
Marshall county.

4. The board of supervisors of the county of Marshall, in behalf of said county, may subscribe for not exceeding the one sixth of said capital stock, and levy the amount thereof on the taxable property of said county at their first levy thereafter, or the one-half of such amount at the first, and the residue at the second annual levy, as by the said board may be deemed most expedient.

#### CHAP. 102.—An ACT concerning Marriages between colored persons.

Passed February 23, 1856.

Be it enacted by the Legislature of West Virginia :

Marriages  
between colored  
persons  
legalized.

1. All marriages heretofore celebrated between colored persons under licenses issued by any recorder of this state, and all marriages between such persons, whether under such license or not, if the same was consummated in good faith on the part of the persons so married, and such persons are living together as husband and wife at the time of the passage of this act, shall be deemed valid.

Registration of  
births, deaths  
and marriages.

2. All laws now in force in this state regulating marriages and marital rights, and providing for registration of births, marriages and deaths, shall apply to colored persons in the same manner as to white persons; Provided, the registration of births, marriages and deaths of white and colored shall be kept separate and distinct.

CHAP. 103.—An ACT to provide for the Payment of certain Military Claims therein mentioned.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

That the sum of one hundred and forty-eight thousand three hundred and ninety-nine dollars and ninety-nine cents is hereby appropriated and placed at the disposal of the governor, to pay the claims audited and allowed by the board of claims, under and by virtue of the act passed February twenty-fifth, eighteen hundred and sixty-five, entitled "an act creating a board for the examination of certain military claims," as stated in the report of said board, accompanying the message of his excellency, the governor. Appropriation.

CHAP. 104.—An ACT in relation to Evidence in actions involving the title to Lands.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

That a copy of any record or paper in the clerk's office of any court in the state of Virginia, or in the office of the secretary of the commonwealth, treasurer, register of the land office, or either auditor, or any surveyor of the state, attested by the officer in whose office the same is, may be admitted as evidence in lieu of the original. And the certificate of the auditor of public accounts of the said state, of the fact and time of the return of any real estate as delinquent, or of the sale thereof for taxes, shall be *prima facie* evidence of what is stated in such certificate. Any such copy or certificate purporting to be sealed, or sealed and signed, or signed alone by any such officer, may be admitted as evidence without any proof of the seal or signature, or the official character of the person whose name is signed to it. The certificate of the auditor of public accounts of said state, of the payment or non-payment at any time of taxes on forfeited or delinquent land, or of dues not having been entered on the books of the commissioner of the revenue, for the county or counties wherein the same were chargeable with taxes, shall, in any suit in relation to such lands, be *prima facie* evidence of what is stated in such certificate, provided it be filed with the papers of said suit at least forty days before the first day of the term at which it is to be offered as evidence. When the certificate purports to be signed by the said auditor, it may be admitted as evidence without proof of his signature. And such a copy of any writing filed in a suit, may be filed in another suit on the same writing, and the defendant shall plead thereto as if the original were filed. Copies of certain papers to be admitted as evidence.  
Effect of certificates of auditor of Virginia.

*Claims Against Virginia—Weight of Coal.* [CH. 109.]

CHAP. 105.—An ACT to authorize the Board of Public Works to audit claims against the State of Virginia.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

Authority and  
report of board.

That the board of public works are hereby authorized to audit all claims against the state of Virginia, which are due and unpaid within the bounds of this state, and report to the next legislature.

CHAP. 106.—An ACT prescribing the standard weight of bituminous coal.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

The standard weight of bituminous coal, within and for this state, is hereby fixed at eighty pounds per bushel.

CHAP. 107.—An ACT for the relief of the securities of William Grass, late Sheriff of Putnam county.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

Auditor  
authorized to  
compromise  
with securities.

The auditor is hereby authorized to stay proceedings against the securities of William Grass, late sheriff of Putnam county, for all liabilities incurred by them as such securities; and the auditor is hereby authorized to compromise with the aforesaid securities by accepting a part of the amount due by them and releasing them from further liability, if in his opinion the interests of the state would be promoted thereby.

CHAP. 108.—An ACT for the relief of John D. Payne.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

That John D. Payne, formerly deputy-sheriff of the county of McDowell, state of Virginia, be, and he is hereby relieved from all liability to the said state of Virginia.

CHAP. 109.—An ACT in relation to the Guyandotte Navigation Company.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

Incorporation.

1. The said Guyandotte Navigation company is and shall continue to be a body corporate under the name and style of "The Guyandotte Navigation and Land Company," with the rights and powers conferred by the acts of the general assembly of Virginia, passed the



sixteenth day of March, eighteen hundred and forty-nine, fourth day of March, eighteen hundred and fifty-one, and the twenty-eighth day of February, eighteen hundred and sixty, and subject to the duties and obligations imposed by said acts, except so far as the same are inconsistent with this act.

2. The interests and stock of the state in said Navigation Company is relinquished to the stockholders other than the state, provided said company shall improve the navigation of the Guyandotte river, in the manner contemplated by the existing charter, or by substituting for locks and dams, sluices with wing dams, the whole or any part of the distance mentioned in said charter, which it is authorized to do, if deemed more expedient; shall commence the work within two years, and complete the same within ten years from and after the passage of this act; or account to the state for the now present value of the stock and interest hereby relinquished, with interest from the date of this act.

Relinquishment  
of state stock on  
certain condi-  
tion.

3. Said company is authorized to increase its capital stock to an amount not to exceed three millions of dollars, and sell and dispose of the same; to purchase, hold and dispose of, by title, legal or equitable, all the right, title, interest and estate now owned by the stockholders other than the state, or any of them in their individual capacity, or by those claiming under them or any of them, in the four Samuel Smith's surveys, which lie contiguous to each other, and mostly upon said Guyandotte river and its tributary waters, and include in their exterior boundaries three hundred and seventy-nine thousand acres, with other lands lying within the limits aforesaid, or contiguous to said river, not to exceed in all three hundred and seventy-nine thousand acres, and deliver its stock in payment thereof, or any part thereof; to clear out and otherwise improve the streams that are tributary to said Guyandotte river, and any other streams that may afford convenient outlets to the Ohio river for the products of its lands, and to construct rail and other roads from any part of its lands, which shall connect with its improvements, or other improvements that may be built, provided the vested rights of individuals shall not be invaded or infringed, except due compensation shall be made according to law; and to charge and collect such tolls upon its improvements as shall be deemed reasonable, subject, however, to the approval of the board of public works, or the legislature.

Capital stock.

Powers of  
company.

4. Said company shall have power to improve and sell its lands, develop their resources, and to sell and transport to market the products thereof, to manufacture the raw material coming therefrom, or from other sources, and to sell or otherwise dispose of, and to transport the manufactured articles to market; and to sell and dispose of its lands, or any part thereof, in the manner it may deem best to individuals or corporations, to hold, use and sell, or otherwise dispose of to others, the water power that may be created by the erection of locks and dams upon the Guyandotte river, if that mode of improvement shall be adopted.

Powers of  
company.

Meetings and elections.

5. Granville Parker, Esquire, president of said company, is authorized to call a meeting of the stockholders, other than the state, at any time within six months after the passage of this act, at such place as he shall deem most convenient, giving reasonable notice, for the purpose of laying before them this act, and if accepted, of electing a board of directors and president, who shall inform the board of public works of such acceptance, and transact any other necessary business. At all general meetings and elections, each stockholder may, in person or by proxy, cast one vote for every share of stock owned by him. Said company shall have its principal office of business in Cabell county, in this state, where the meeting of its stockholders shall be held, but may have a branch office in the city of New York, where the first meeting of its stockholders may be held.

CHAP. 110.—An ACT amending the Charter of the Town of Grafton.

Passed February 28, 1866.

Be it enacted by the Legislature of West Virginia:

Corporate limits.

1. The corporate limits and boundaries of the town of Grafton shall be as follows: Beginning at the mouth of Bartley creek, on the north side of the Valley river, and running with the lines of the township north to a large spring on the northwestern turnpike; thence east, but excluding the property of John K. Knotts, to the east corner of said township, near the dwelling of J. W. Blue; thence with said township line, crossing Three Fork to the Valley river; thence with said township line down the Valley river to the beginning.

Municipal authorities.

2. The municipal authorities of said town shall be a mayor and six councilmen, who shall, together, form a common council, one of which shall be selected by the board of councilmen to act as alderman. whose duty shall be to act as mayor in his absence.

Corporation.

3. The mayor and councilmen, so soon as they have been elected and qualified as hereinafter provided, shall be a body politic and corporate by the name of the "Town of Grafton," and shall have perpetual succession and a common seal, and by that name shall sue and be sued, implead and be impleaded; 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.

Exercise of corporate powers.

4. All the corporate powers of said corporation shall be exercised by the said council, or under their authority, except where otherwise provided.

Town officers.

5. There shall be a town clerk, a sergeant, a treasurer and commissioner of the revenue, appointed by the council, to continue in office at its pleasure, and perform the duties respectively as hereinafter prescribed, or as may be required by the council.

6. The duties of the office of clerk, treasurer and commissioner of the revenue may be discharged by the same person, or otherwise, as the council may from time to time determine.

7. The qualified voters of said town shall, on the third Monday in March, eighteen hundred and sixty-six, elect a mayor and six councilmen, to hold their offices as follows: The three councilmen receiving the highest number of votes shall serve two years, and the three councilmen receiving the smallest number of votes shall serve but one year, or until their successors are elected and qualified, and thence annually thereafter there shall be elected three councilmen, each of whom shall hold his office for the term of two years, unless they become non-residents of the town; but the mayor shall be elected annually. Vacancies in said board of councilmen shall be filled by said board. The first election under this act shall be holden at the tavern house of L. Purdue and conducted by the supervisors and inspectors of the township elections, and annually thereafter by three persons who are freeholders, selected by the council.

Elections for  
mayor and  
councilmen.

8. All persons resident in said town and entitled to vote for county and township officers, shall be entitled to vote for mayor and councilmen.

Voters.

9. When a vacancy shall occur from any cause in the office of mayor, or in the council, the vacancy shall be filled by appointment by the council.

How vacancies  
filled.

10. At all elections the vote shall be by ballot, and when two or more persons for the same office at any election shall receive an equal number of votes, the person or persons conducting such an election, shall decide which of said persons shall be returned elected. And all contested elections shall be heard and determined by the council for the time being.

Elections.

11. The mayor, councilmen, clerk, sergeant, treasurer and commissioner of the revenue shall each, before entering upon the duties of his office, and within ten days after being furnished with a certificate of his election, take and subscribe the oath of loyalty prescribed for county and township officers, and that they will truly, faithfully and impartially discharge the duties of their said offices, respectively, to the best of their abilities, so long as they continue in office. The clerk shall take such oath or affirmation before a justice or other officer authorized to administer oaths, and thereupon he shall administer the oaths aforesaid to the other officers and councilmen. Certificates of the said oaths or affirmations shall be recorded in the journal of the proceedings of the council.

Oaths of officers.

12. When any four of the newly elected councilmen shall have been so qualified, they shall enter upon their said offices and supersede the former councilmen.

Councilmen.

13. If any one elected mayor, or councilman shall not have been eligible, or shall fail or refuse to take the oath or affirmation required

How vacancies  
may occur.

under this act within the ten days aforesaid, such shall be declared vacant, and the vacancy filled as hereinbefore prescribed, but in all cases from among the citizens of the town eligible to such office or position under this act.

Presiding officer  
of council.

14. 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, selected by a majority of the council present, and a majority of the council shall be necessary to constitute a quorum to do business.

Journal of  
council.

15. The council shall cause to be kept in a journal an accurate record of all its proceedings, by-laws, acts and orders, which shall be fully indexed and opened to the inspection of the voters of the town.

Proceedings of  
council.

16. The proceedings of the last meeting shall be read to the council, corrected, where necessary, and signed by the person presiding for the time being. Upon the call of any member, the ayes and noes on any question shall be called and recorded in the journal. The mayor, in cases of a tie, shall have the casting vote.

Powers of  
council.

17. 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 abate or cause to be abated, anything which in the opinion of a majority of the whole council, shall be a nuisance; to regulate the keeping of gunpowder and other combustibles; to provide for the burial of the dead; and for this purpose may purchase and hold the necessary 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 in or for said town, for the making of division fences, and to provide for shade and ornamental trees, and against danger or damage from fires or contagious diseases; to provide a revenue for the town, and appropriate the same, and to provide the annual assessment of taxable persons and property of the town; to adopt rules for the transaction of business and the government regulations of its own body; to promote the general welfare of the town and protect the property, and preserve peace and good order therein; to keep a town guard; appoint and order out a patrol for the town when deemed necessary; to appoint such officers as they may deem proper, including a sergeant, commissioner of the revenue and treasurer; to define their powers, prescribe their duties, fix their term of service and compensation, 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, and remove them at pleasure, (all bonds to be made payable to the town by its corporate name); to erect or authorize or prohibit the erection of gasworks or waterworks in or near the town; to prevent injuries to or pollution of the same; for all which purposes named in this clause, except that of taxation, the council shall have jurisdiction for one mile beyond the borough; to regulate and provide for weighing and measuring of hay, coal and other articles sold or for sale in said town, and to regulate the transportation thereof through the streets, and generally to do such things as the council shall deem necessary for the interests, prosperity, peace and good order of the citizens of said town.

18. To carry into effect these enumerated powers, and all others conferred upon said town or its council expressly, or by implication in this or any other acts of the legislature, the council shall have power to draft and enforce all needful orders, by-laws and ordinances, not contrary to the constitution and laws of this state, 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 the said town.

Ordinances and  
by-laws.

19. The annual levy ordered by the council may be upon male persons within said town over eighteen years of age; dogs, hogs and other animals, and on all real estate within said town, which is not exempt from state taxation, and all such other subjects in said town as may at the time be assessed with state taxes, provided the tax do not exceed one dollar on every one hundred dollars of value of unimproved lots, and seventy-five cents on every one hundred dollars of the value of real and personal property, or two dollars per head on each taxable person.

Annual levy.

20. When anything for which a state license is required, is to be done within the said town, the council may require a town license to be had for doing the same, and may impose a tax thereon for the use of the town, and the council may in any case require from the person so licensed, a bond with sureties, in such penalty and with such conditions as it may determine.

Licenses.

21. The sergeant shall collect the town taxes, fines, levies, and liceuses; and within thirty days from the time he may receive the books of the commissioner of the revenue of said town, may distrain and sell therefor in like manner as a sheriff may for state taxes, and shall in all respects, have the same powers as a sheriff, to enforce the payment and collection thereof, and shall within the corporate limits of the town exercise all the duties that a constable can legally exercise in regard to the collection of claims, executing and levying process, and shall be entitled to the same compensation therefor, and he and his securities shall be liable to all the fines, penalties and forfeitures that a constable is legally liable to, and for any failure or

Duties, powers  
and compensation  
of sergeant.

dereliction in said office, to be recovered in the same manner and before the same tribunals that the same are now recovered against constables.

Lien and sale for taxes on real estate.

22. There shall be a lien on real estate for the town taxes assessed thereon from the commencement of the year for which they are assessed, and the council may order and require the same to be sold or rented by the sergeant at public auction for the arrears, with interest thereon, with such per centum as the council may prescribe for charges and expenses thereof, and may regulate the terms upon and time within which the same may be redeemed. No such sale or renting shall be ordered until such realty shall be returned delinquent, and the sale shall be after twenty days notice, posted at the court house door and the post office in said town.

Powers of council.

23. The council may prohibit any theatrical or other performance, show or exhibition it may deem injurious to the morals or good order of the town.

Powers, duties and compensation of mayor.

24. The mayor shall be the chief executive officer of the town, shall take care that the by-laws, ordinances and orders of the council are faithfully executed, shall be *ex-officio* a conservator and justice of the peace, in the town, and shall within the same, exercise all the powers and duties vested in justices, except that he shall have no jurisdiction in civil causes; shall have control of the police of the town, and may appoint special police officers; shall see that peace and good order are preserved, and that the persons and property are protected in the town; shall have power to issue executions for all fines 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 jail of the county until the fine and costs be paid but the term of imprisonment in such case 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 town, and shall receive a compensation for his services, to be fixed by the council, which shall not be increased or diminished for the term for which he was elected.

Duties and compensation of clerk.

25. The clerk shall keep a journal of the proceedings of the council, and have charge of and preserve the records of the town, and shall receive a compensation for his services, to be fixed by the council, which shall not be increased or diminished for the term for which he was elected.

Duties of treasurer.

26. All moneys belonging to said town shall be paid over to the treasurer, who shall pay out the same upon the order of the mayor, countersigned by the clerk, and not otherwise and for any default or liability upon the part of the treasurer or sergeant, the council, in the corporate name of said town, may on motion, after ten days notice, obtain judgment before the circuit court of said county on account thereof, against them and their securities respectively, or any or either of them or their heirs or legal representatives.

27. The said town, and taxable persons and property therein, shall be exempt from all expense or liability for the construction or repair of roads or bridges outside the corporate limits of said town. Exemption from road tax.

28. All rights, privileges and properties of the said town heretofore acquired and possessed, owned and enjoyed, by any act now in force, shall continue and remain vested in said town in this act, and all laws, ordinances, acts, resolutions, rights and liabilities existing and now in force not inconsistent with this act, shall continue in full force and effect, until regularly repealed by a council elected as provided under this act. Effect of former acts.

### CHAP. 111.—An ACT to amend the law concerning Corporations.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

1. The stockholders or directors of any corporation formed under or accepting the provisions of the "Act providing for the formation of corporations and regulating the same," passed October twenty-sixth, eighteen hundred and sixty-three, may hold any meeting for the transaction of the lawful business of the corporation, including the first general meeting for purposes of organization, and may keep their principal office in any state or territory of the United States or in the District of Columbia. But no meeting shall be held out of this state without the concurrence of persons holding a majority in value of the stock of the company, nor without reasonable notice. Corporations may have offices and meetings out of this state.

2. Every corporation which shall have been formed under or accepted the provisions of said act before the passage of this act, shall, before the first day of May in the present year, and every other such corporation hereafter formed, shall within thirty days after organizing, appoint by power of attorney duly executed, some person residing in the county in this state wherein its business is conducted, to accept service on behalf of said corporation of any warrant, process or notice; and for such corporation, annually at the proper time, to make the return required by section forty-nine of chapter one hundred and eighteen, of the acts of eighteen hundred and sixty-three, to the assessor of the county or district wherein the business of the corporation is carried on. Said power of attorney shall be filed and recorded in the recorder's office of the county in which the attorney resides; and the admission to record of such power of attorney shall be deemed evidence of compliance with the requirements of this section. Any corporation failing to comply with said requirements, shall forfeit not less than two hundred dollars nor more than five hundred dollars, for each year such failure continues. Corporation to appoint attorney. Penalty for failure.

CHAP. 112.—An ACT to authorize the Judge of the Ninth Judicial Circuit of West Virginia to fill official vacancies in his Circuit.

Passed February 28, 1866.

Preamble.

Whereas, in the five counties comprising the ninth judicial circuit of West Virginia, to-wit: in the counties of Pocahontas, Greenbrier, Monroe, Mercer and McDowell, in consequence of rebel opposition and resistance to the law, the organization of the government and the establishment of civil law have been and are still greatly obstructed and retarded, to the prejudice of public justice and the inconvenience of the people generally,

Be it enacted by the Legislature of West Virginia :

Appointment of county and township officers by judge.

1. That it shall be lawful for the judge of the said circuit, by appointment under his hand and seal, to fill any and all vacancies now existing, or which may hereafter occur, in any of the offices, whether county or township, (with the exception of members of the senate and house of delegates,) in the said counties of Pocahontas, Greenbrier, Monroe, Mercer and McDowell, or any thereof; and the officers so appointed by the said judge, being otherwise legally qualified, shall continue in office, (unless sooner removed therefrom,) until their successors are duly elected and qualified according to law.

CHAP. 113.—An ACT to incorporate the Laurel Fork and Sand Hill Railroad Company.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

Corporators.

1. William C. Stiles, jr., William R. Sterling, J. N. Camden, Samuel D. Karns and Austin Gunnison, their associates and successors, be and they are hereby constituted a body politic and corporate by the name, style and title of "The Laurel Fork and Sand Hill Railroad Company of West Virginia," and as such they shall have the right to lay out and construct or cause to be laid out and constructed, a railway or railways from any point on the Northwestern Virginia railroad between Kanawha station and Cornwallis station, on said road, northwardly, eastwardly or westwardly to any point between said Northwestern Virginia railroad and the Ohio river, and make such sidings, branches and extensions, not exceeding ten miles in length, as they may deem necessary and convenient to the development of the mineral and agricultural wealth of the country between the said Northwestern Virginia railroad and the Ohio river.

Route of railroad.

Capital stock.

2. The capital stock of said company shall consist of five hundred shares, of the par value of fifty dollars each, and may be increased when deemed necessary, by a vote of the stockholders at any meeting, to an amount not exceeding twenty thousand shares of fifty dollars each.



3. The said company shall have the power and authority to borrow money, in any sum or sums not exceeding in amount one-half of the par value of the capital stock, at a rate of interest not exceeding seven per centum per annum, and to secure the re-payment of the same and the interest thereon; to give bonds secured by a mortgage of and on the said railway, and the corporate rights and franchises guaranteed by this act; which principal moneys shall be payable at such dates and times as the board of directors may deem advisable.

Company may borrow money.

4. The said company shall have the right to purchase such real estate, and erect or cause to be erected such buildings and improvements thereon from time to time, and use and hold the same, and further, to have the right to purchase all necessary equipments, such as locomotive engines, horses, cars and other vehicles, and all needful appendages for the conveyance of passengers and freight on and over said railway or railways, as may be deemed necessary or convenient for the accommodation and purposes of said company.

Powers of company.

5. That dividends of so much of the profits of said company, as shall appear to be advisable to the directors, shall be declared semi-annually, in each and every year, and be paid at the office of the said company at any time after ten days after declaring the same, but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock thereof shall at no time be impaired thereby; and if said directors shall make and declare any dividend impairing the capital stock of said company, the directors consenting thereto shall be liable in their individual capacities to said company for the amount so divided, and each director present when such dividend shall be declared shall be considered as consenting thereto, and unless he or they shall enter his or their written protest against the same, and shall cause the said protest to be entered upon the minutes of the board, and give public notice of the same.

Declaration of dividends.

6. The said company shall make, have and use a common seal, and alter and renew the same at pleasure, and also shall have the power to ordain, establish and put into execution such by-laws, ordinances and regulations as shall appear necessary or convenient for the government of the said corporation, and not being contrary to the constitution of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them shall lawfully appertain, for the well being of said corporation, and the proper order and management thereof.

Seal and by-laws.

7. That the persons therein named, or a majority of them, may proceed to organize the company by opening books of subscription immediately after this act shall become a law, after giving public notice of the time and place of receiving such subscription by publication for one week in one or more newspapers published in the city of Parkersburg, such subscription books to remain open until five hundred shares of fifty dollars each may be subscribed, and longer should the persons herein named consider necessary, and said com-

Subscription books.

pany shall have power to elect a board of five directors, and also such other officers as may be deemed expedient; and at all elections each share of stock represented, either in person or by proxy, shall entitle the holder to one vote.

Charges for transportation.

8. The said company shall have full power to regulate their charges for transportation of persons or produce and other articles, provided that their charge for transporting oil shall in no case exceed the sum of seventy-five cents per barrel, and of persons, and of merchandise other than oil, not more than three times as much as allowed in the code of Virginia, chapter sixty-one, section nineteen.

How far company subject to provisions of the code.

9. The said company shall be subject to all the provisions and liabilities, and entitled to all the benefits, of the code of Virginia, second edition, prescribing general regulations for the incorporation of railroad companies, especially such as are specified in chapters fifty-six, fifty-seven and sixty-one thereof, and of all other general laws now in force relating to railroad companies, except so far as the provisions of this act are or may be inconsistent therewith.

Effect of acts inconsistent herewith.

10. So much and such parts of the code of Virginia hereinbefore recited, or of any act or acts as may be inconsistent with any of the provisions of this act, shall be held not to apply to the company hereby incorporated, as far as the same may affect the charter granted by this act.

Reserved right of legislature.

11. The legislature reserves the right to alter, amend or repeal this act.

#### CHAP. 114.—An ACT concerning Hawkerc and Peddlers.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia:

Punishment for selling without license.

Any person acting as a hawker and peddler or itinerant vender of goods, wares or merchandise, who shall offer or expose for sale such goods, wares or merchandise, without having previously procured such license as is required by the first section of chapter one hundred and thirteen of the acts of eighteen hundred and sixty-three, or shall refuse to exhibit such license to any person demanding the same, shall upon information filed before a justice, be fined not less than five nor more than ten dollars for each offense, one-half to the informant; and on default of the payment of such fine or fines, the justice imposing the same shall order the goods, wares or merchandise of the offender to be seized to satisfy the same.

CHAP. 115.—An ACT to amend and re-enact a part of the first section of chapter 20 of the Acts of the General Assembly of Virginia, passed at Richmond in 1861.

Passed February 28, 1866.

Be it enacted by the Legislature of West Virginia :

So much of section one, chapter twenty, of the acts of eighteen hundred and sixty-one, passed at Richmond, as relates to the duties of the minister solemnizing marriages, is amended and re-enacted so as to read as follows :

“The minister or other person celebrating such marriage shall, within sixty days thereafter, return the said license to the office from whence it issued, with an endorsement thereon of the fact of such marriage and the time and place of celebrating the same.”

Sixty days allowed for return of marriage licenses.

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CHAP. 116.—An ACT to legalize the qualification and official bonds of John N. Loudon and J. L. D. Brake, Justices of Warren Township, Upshur County.

Passed February 28, 1866.

Be it enacted by the Legislature of West Virginia :

The qualification and official bonds of John N. Loudon and J. L. D. Brake, as justices of Warren township, in the county of Upshur, are hereby legalized.

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CHAP. 117.—An ACT to provide for the repair of the Roads and Bridges throughout the State.

Passed February 28, 1866.

Be it enacted by the Legislature of West Virginia :

The interest of this state in all the turnpike roads and bridges within this state, is hereby transferred to the several counties in which the same or a part thereof may lie, and the boards of supervisors of the several counties in which such road or part thereof, or bridge, may lie, are hereby vested with all the rights, powers and duties heretofore vested in the state, as a stockholder in such road or bridge, among which shall be the power to establish gates and collect lawful tolls, and do and transact all other lawful business. The suspension bridges across the Monongahela river at Fairmont and Morgantown, and any other such bridge in this state, and the Kanawha turnpike, are not intended to be included in this act.

Roads and bridges transferred to counties.

Exceptions.

Provided, that this act shall not apply to the Maryland and Virginia Bridge Company.

CHAP. 118.—An ACT for the relief of B. S. Cook, of  
Roane county.

Passed February 23, 1866.

Preamble.

Whereas, B. S. Cook was, while in the state service in a company of state guards commanded by Captain William King, wounded and is still suffering from the effects of the same, and has been deprived of the use of his legs during the past eighteen months, therefore, Be it enacted by the Legislature of West Virginia:

Appropriation.

The sum of two hundred and thirty-four dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, for the relief and benefit of the said B. S. Cook, and the auditor is instructed to pay the same on his order.

CHAP. 119.—An ACT for the extension of the corporate  
limits of the town of Brandonville in Preston county.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia:

The corporate limits of the town of Brandonville in Preston county shall be, and are hereby so far extended on the north side of said town as to include a lot of ground conveyed by Joseph Ritenour to H. C. Hagans and Joseph H. Gibson; and also the tannery and its lot now owned by J. E. Hagans; together with the street running between said lots.

CHAP. 120.—An ACT supplemental to the Act establishing  
the County of Grant.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia:

County officers.

1. There shall be a recorder, assessor, county treasurer, surveyor of lands and superintendent of free schools, for the county of Grant. The board of supervisors of said county shall appoint persons to fill said offices until the first day of January, eighteen hundred and sixty-seven.

Offices of clerk  
and recorder.

2. The offices of the clerk of the circuit court and recorder shall be at such places as the board of supervisors of said county may designate, until the court house at or near John May's is completed. The said board shall also designate the place for holding the circuit courts for said county, until the court house is completed.

Supervisors may  
borrow money.

3. The board of supervisors of the county shall have power to borrow money, not exceeding ten thousand dollars, at legal interest, and to issue the bonds of the county for the same, to be used in the construction of the public buildings of said county.

4. Jacob Roby, of the county of Grant, and William Fisher, of the county of Hardy, are hereby appointed commissioners to run the dividing line between the said counties of Grant and Hardy, according to the act creating the said county of Grant. The said commissioners shall have power to employ a competent surveyor, who shall run and mark the said line under their direction, and in case they differ, shall decide between them. The said surveyor shall make three plats of the boundary line line run by him, one of which shall be delivered by the said commissioners to the recorders of each of the counties of Grant and Hardy, and the third one shall be delivered to the secretary of the state, to be preserved by them in their respective offices. The supervisors of Grant county shall provide for the expenses of running and marking said line.

Commissioners to run dividing line.

Plats of line run.

CHAP. 121.—An ACT for the relief of Henry J. Whitehouse.

Passed February 28, 1866.

Be it enacted by the Legislature of West Virginia:

The auditor is hereby authorized to issue his warrant upon the treasury for forty-nine dollars and fifty cents in favor of Henry J. Whitehouse, for taxes paid by him into the treasury on an excess of four thousand five hundred acres of land charged to said Whitehouse on the assessors' books of Putnam county, for the years eighteen hundred and sixty-one, eighteen hundred and sixty-two and eighteen hundred and sixty-three.

Appropriation.

CHAP. 122.—An ACT to amend and re-enact an act entitled "An Act to incorporate the Little Kanawha Navigation Company," passed February 4, 1863, and the act to amend and re-enact the first and third sections of the said Act, passed March 1, 1864.

Passed February 28, 1866.

Be it enacted by the Legislature of West Virginia:

1. That it shall be lawful to open books under the superintendence of John V. Rathbone, R. Van Winkle, J. N. Camden, James Cook, Moses Kincheloe, Daniel Wilkinson, E. C. Hopkins, Jonathan Weaver, Charles H. Shattuck and James A. Williamson, or any three of them, at Parkersburg in the county of Wood, at Newark, Elizabeth and Rathbone in the county of Wirt, and at such other places as they may appoint, for receiving subscriptions to the capital stock of the company hereby incorporated for the purpose of improving the navigation of the Little Kanawha river and its branches.

Commissioners to receive subscriptions.

2. The capital stock of said company shall consist of ten thousand shares of twenty-five dollars each, and whenever five hundred shares are subscribed, the subscribers, their executors, administrators and assigns, are hereby incorporated by the name of "The Little

Capital stock.

**Incorporation.** Kanawha Navigation Company," and shall be governed by the provisions of the fifty-sixth, fifty-seventh and sixty-first chapters of the code of Virginia, second edition, so far as the same are applicable and not inconsistent with this act. The boards of supervisors of Wood, Wirt, Ritchie, Braxton, Calhoun and Gilmer counties shall have the power to submit the question of making subscription to said company of a sum not exceeding twenty thousand dollars for each county; to the voters thereof, first giving twenty days notice, and if a majority of the votes cast shall be in favor of making the subscription, the board or boards of supervisors are hereby authorized to make such subscription. At all general meetings and elections each stockholder may in person or by proxy cast one vote for every share of stock owned by him.

**Subscription by certain counties.**

**Powers of company.** 3. The said company shall have power to improve the navigation of said river, and of Hughes river, by removing any or all of the dams, or any other obstructions existing to the navigation of said rivers or either of them, or by locks, dams, sluices, canals, or by the usual modes of improvement, or by a combination of any two or more of them. They shall commence their said improvement at or near the mouth of the said river, and prosecute the same toward the head, so far as it may be deemed practicable, or the resources will permit, and may in like manner improve Hughes river so far up the same as they may deem proper. When their river improvement has reached the mouth thereof, they may enter and condemn lands for the purpose of their said improvements, under the provisions of the said fifty-sixth chapter of the code of Virginia, and shall have the benefit of all, and any act declaring the said rivers navigable highways; and when the obstructions to the navigation of said river shall have been removed, from Rathbone in the county of Wirt, to Parkersburg in the county of Wood, the said company shall have power to charge and collect for the transportation of crude or refined oils, a toll not exceeding ten cents per barrel of forty gallons, or the like sum for the same number of gallons if transported in any other manner than in barrels, and for empty oil barrels the sum of two and one-half cents, and five cents for each one hundred pounds of freight other than oil, oil barrels, lumber, staves, grain, and all products of the farming community, and for all freights for which no tolls have been specified herein, such rates as shall from time to time be prescribed by law, or fixed by the board of public works, and a greater rate of toll may be fixed by law, or by the board of public works, for the transportation of crude or refined oils, or for empty oil barrels than the amount fixed in this section.

**Charges for transportation.**

**Company may borrow money.** 4. The said company shall have power to borrow money from time to time, not exceeding in the aggregate the amount of their capital stock, to issue their bonds or other proper securities for the same, and to pledge their works and property by mortgage or deed of trust for the payment thereof and of the interest to accrue thereon; but in the event of a sale under such mortgage or deed of trust, all bonds

or notes then outstanding, issued in payment for work done or materials furnished on or for their improvement, and so expressed to be on their face, shall be first paid out of the proceeds of such sale.

5. The said company shall commence the said improvement within two years after the passage of this act, and complete the said improvement up the Kanawha river to the mouth of the West fork of said river within eight years after the passage of this act; and if the said company fails to complete the said improvement to Glenville, in Gilmer county, in ten years after the passage of this act, the right as a company to said Kanawha river shall be forfeited and no longer exist above the mouth of the said West fork of the Kanawha, but shall have the right granted in this act to continue as a company from the mouth of said river to the mouth of the said West fork.

Commencement and completion of improvement.

6. All subscriptions made to the capital stock of said company, and all acts done towards organizing said company under the said acts of the fourth of February, eighteen hundred and sixty-three and March first, eighteen hundred and sixty-four, shall be held valid and binding.

Effect of former subscriptions and acts.

CHAP. 123.—An ACT to provide for submitting to the people of West Virginia the proposed Amendment to the Constitution of the State.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia:

1. At the regular township elections, to be held on the fourth Thursday in May, eighteen hundred and sixty-six, the supervisors and inspectors of elections for every place of voting within this state, shall cause a poll to be taken to ascertain the sense of the qualified voters, voting at said township elections, on the ratification or rejection of the proposed amendment to the constitution, as agreed to by joint resolution of the legislature of West Virginia, adopted on the thirteenth day of February, eighteen hundred and sixty-six.

Election provided for.

2. At said township elections those voting for the said amendment shall have written or printed on their ballots, the words "For ratification," and those voting against said amendment shall have written or printed on their ballots the words "For rejection:" provided, that the ballot used for voting for ratification or for rejection of said proposed amendment, shall be the same piece of paper used in voting for county and township officers at said election.

Ballots.

3. As soon as possible after the polls are closed, the names entered on the poll books shall be counted by the inspectors and clerks in the presence of the supervisor, and the number thereof set down in words at the foot of the lists, which shall then be signed by the inspectors and clerks. The ballot-box shall then be opened, and one of the inspectors taking therefrom one ballot at a time, in the pres-

How votes shall be counted and entered.

ence of all the other officers, shall read the contents of such ballot and hand the same to the other inspector, who shall satisfy himself that it was correctly read. The contents of the ballot as they are read shall be entered by the clerks, under the supervision of the supervisor and inspectors, on the tally sheets, by suitable marks in the respective columns thereon, so as to show the number of votes for ratification and the number for rejection. The ballots shall be counted as they are read, and whenever the number shall be equal to the number of voters entered on the poll-books, the excess, if any, remaining in the ballot-box, shall be immediately destroyed by the inspectors without examining or allowing any one to examine or know the contents thereof.

Inspectors' certificates of result of elections.

4. As soon as the result is ascertained, the inspectors shall sign two certificates thereof, to the following effect: "We, the undersigned, who acted as inspectors of the election held at \_\_\_\_\_, in the township of \_\_\_\_\_ and county of \_\_\_\_\_, on the twenty-fourth day of May, eighteen hundred and sixty-six, do hereby certify that having first been duly sworn, we have fairly and impartially held the said election according to law, and the result thereof is as follows: "For ratification \_\_\_\_\_ votes;" "For rejection \_\_\_\_\_ votes," (giving the number of votes in full in writing.) Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, eighteen hundred and sixty-six." The said two certificates shall correspond in all respects, and contain full returns of the polls taken at such place of voting, for ratification and for rejection. The inspectors, or one of them, shall, within three days, excluding Sunday, after the day on which such election was held, deliver one of the certificates to the clerk of the board of supervisors, and the other to the recorder of the county.

Duty of board of supervisors.

5. The board of supervisors of each county shall, at their stated meeting on the twelfth day after such election, ascertain the result thereof in their county in the manner now prescribed by the act to regulate elections by the people. After ascertaining the result of said election, the said board shall cause the same to be entered in their order or minute book in the following form :

At a meeting of the board of supervisors of \_\_\_\_\_ county, held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 1866. The board having carefully and impartially examined the returns of the elections held at the several places of voting within said county, on the twenty-fourth day of May, eighteen hundred and sixty-six, ascertained that at said election there

Order of board.

were cast,  
"For ratification," .....votes.  
"For rejection," .....votes.

A copy of which order officially signed by the president, and countersigned by the clerk of said board, shall be transmitted by said board, without delay, to the secretary of the state, and endorsing on the envelope or cover as follows: "Returns of election on amendment to the constitution." The secretary of the state shall carefully preserve the said returns until the day for opening and counting the same as hereinafter provided, and after the result is ascertained, the said secretary shall file and preserve the said returns in his office.



6. On the tenth day of July next after the said election, or as soon thereafter as practicable, the governor, secretary of the state, auditor and treasurer, or any three of them, shall proceed to open the envelopes or covers containing the returns from the several counties where the votes shall be counted. If it appear from said returns that a majority of the votes cast were for ratification of the amendment, it shall be the duty of the governor to issue his proclamation setting forth the fact of such ratification by the people, declaring the said amendment to be a part of the constitution of this state, and in force as such from the twenty-fourth day of May, eighteen hundred and sixty six.

Opening of returns.

In case of ratification, governor's proclamation thereof.

7. All laws regulating elections by the people in force on the said fourth Thursday of May next, shall apply to the election herein provided for, in all respects not conflicting with this act, and nothing in this act shall be construed as interfering in any manner with said laws, except so far as the same pertains to the election herein specially provided for.

Effect of general election laws.

#### CHAP. 124.—An ACT supplemental to the act to regulate the Registration of Voters.

Passed February 28, 1866.

Be it enacted by the Legislature of West Virginia :

1. So much of the "Act to regulate the registration of voters," passed February twenty-sixth, eighteen hundred and sixty-six, as requires the first registration to be completed by the fourteenth day of April next, is hereby amended so as to require the same to be completed by the tenth day of May next.

Time for completion of registration extended.

2. Every registrar, before he returns the registrar books, as provided in the eighth section of said act, shall make, sign and attach to each of said books, a certificate to the following effect :

Registrar's certificate.

"I, (A. B., registrar for ——— township (district or ward, as the case may be,) do hereby certify on my official oath, that the foregoing is a correct list of the voters in my township, (district or ward, as the case may be,) as required by said act.

"Given under my hand this ——— day of ———, eighteen hundred and sixty——"

#### CHAP. 125.—An ACT to amend the Charter of the town of South Wheeling.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

The sixth and eighth sections of an act passed March thirty-first, eighteen hundred and fifty-one, by the general assembly of Virginia,

Virginia act amended.

entitled "An Act to incorporate the town of St. Mary in the county of Wood, and for other purposes," is hereby amended and re-enacted so as to read as follows:

Election of trustees.

"6. That for the better government and well ordering of the affairs of said town, it shall lawful for every white male inhabitant of the age of twenty-one years and upwards, who shall be a citizen of this state and shall have resided in said town six months next preceding an election, and shall have been assessed and paid tax, to meet at some convenient place in said town on the first Monday in May, and annually thereafter, and then and there nominate and elect by ballot seven fit and able men, being freeholders, to serve as trustees thereof, whose authority shall continue until the first Monday in May in each succeeding year, and until others shall be qualified in their stead, and no longer unless re-elected. Provided, however, that no person shall be eligible as a trustee unless he shall have resided in said town for at least one year previous to his election, and shall have been born in one of the United States or shall have become a citizen by conformity to the naturalization laws of the United States; and until said first election to be held in May as aforesaid, Samuel Ott, George Birch, William Kryter, William B. Martin, Lloyd G. Hughes, Edward Cole and Samuel Humes be and they are hereby appointed trustees of said town, and shall hold their office until their successors shall have been elected as heretofore provided. The said first election shall be superintended by the trustees herein appointed, and at all elections thereafter by the trustees for the time being, at such place as they may appoint and notify by advertisement for at least ten days previous to holding said election. The board of trustees herein appointed shall within thirty days after their appointment, take an oath or solemn affirmation before a justice of the peace for the county of Ohio, for the due and faithful execution of their office, and each and every succeeding board of trustees shall be qualified to their office by the presiding officer of the board of trustees for the time being."

Eligibility of same.

First trustees appointed.

Qualification.

Power to levy poll tax.

"8. It shall be lawful for the trustees of the town of South Wheeling to levy and collect an annual tax not exceeding in any one year one dollar on every tithable living in said town, and an annual tax of fifty cents on every hundred dollars assessed value of the taxable property therein."

#### CHAP. 126.—AN ACT in relation to elections by the people.

Passed February 23, 1866.

Be it enacted by the Legislature of West Virginia :

Change of day for annual township elections.

1. The annual township elections shall be held on the fourth Thursday of May, in the year eighteen hundred and sixty-six, and the same day in every subsequent year; but if the first township election be not held in any county on the fourth Thursday in May next, it may be appointed and held after that day as now provided by law.

2. Section fourteen of chapter one hundred, of the acts of eighteen hundred and sixty-three, is amended and re-enacted so as to read as follows:

"14. Every officer and person employed in holding any election by the people shall, before entering on the discharge of his duties, take the following oath: 'I, (A. B.) do solemnly swear that I will support the constitution of the United States and the constitution of this state; that I have never voluntarily borne arms against the United States; that I have voluntarily given no aid or comfort to persons engaged in armed hostility thereto, by countenancing, counseling or encouraging them in the same; that I have not sought, accepted nor attempted to exercise the functions of any office whatever, under any authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto; and that I take this obligation freely without any mental reservation or purpose of evasion. I further swear that in the election about to be held, I will faithfully and impartially discharge my duties to the best of my skill and judgment.' The supervisor, or any one of the inspectors, at any election, or of the persons acting as such, may administer the said oath to the others, and to the clerks and writers. The said oath shall appear, properly certified, on the poll books of every election; and in no case shall the votes taken at any place of voting be counted unless said oath so appear on the poll books."

Oath prescribed  
for election  
officers.

3. Section six of chapter one hundred of the acts of eighteen hundred and sixty-three, and all other acts or parts of acts in conflict with this act, are hereby repealed.

Law repealed.

CHAP. 127.—An ACT authorizing the trustees of the Methodist Episcopal Church in the town of Clarksburg, to sell their church lot.

Passed February 28, 1866.

Be it enacted by the Legislature of West Virginia:

The board of trustees of the Methodist Episcopal church in the town of Clarksburg, in Harrison county, are hereby authorized to sell a church lot now belonging to them in said town, and convey the same to the purchaser, and to invest the proceeds thereof in other property, for the use and benefit of the said Methodist Episcopal church.

CHAP. 128.—An ACT for the relief of the citizens of Morgan county.

Passed February 28, 1866.

Whereas, it appears that the taxes on persons and property have been assessed in the county of Morgan, for the years eighteen hundred and sixty-one and eighteen hundred and sixty-two, and it

Preamble.

appearing that no part of such taxes has been collected; and whereas, by reason of the ravages of contending armies, her people have been to a great extent impoverished and rendered unable to pay such taxes; Therefore,

Be it enacted by the Legislature of West Virginia:

Release from taxes for 1861 and 1862.

1. All persons and property within the county of Morgan are hereby released from all liability for the taxes assessed thereon for the years eighteen hundred and sixty-one and eighteen hundred and sixty-two.

Apportionment of school fund.

2. The auditor at the next apportionment of the general school fund, shall apportion to the county of Morgan in addition to its share of such fund this year, such portion as it would have been entitled to receive in the year eighteen hundred and sixty-five, had full returns been made. Such apportionment shall be made upon the enrollment of the present year.

CHAP. 129.—An ACT appropriating the Public Revenue for the fiscal year 1866.

Passed March 1, 1866.

Be it enacted by the Legislature of West Virginia:

Payments in excess of appropriations legalized.

All payments made by the treasurer of this state in excess of appropriations authorized by law to the first day of January, eighteen hundred and sixty-six, upon warrants legally issued by the auditor, are hereby legalized; and the surplus of all appropriations made prior to the first day of January, eighteen hundred and sixty-six, and all money in the treasury not appropriated prior to the first day of January, eighteen hundred and sixty-six, as well as all money that may have come or that may come into the treasury from the first day of January, eighteen hundred and sixty-six, to the first day of January, eighteen hundred and sixty-seven, shall constitute a general fund and be appropriated as follows:

General fund.

Legislature.

For expenses of the legislature for the session commencing on the sixteenth day of January, eighteen hundred and sixty-six, including pay of officers, printing and stationery, twenty thousand dollars.

Rent of capitol.

For rent of Linsley Institute from the first day of January, eighteen hundred and sixty-six, to the first day of January, eighteen hundred and sixty-seven, furniture and repairs to the same and the premises, one thousand dollars.

Judges' salaries.

For salaries of the judges of the supreme court of appeals and of the circuit courts, thirty thousand dollars.

Clerk court of appeals.

For salary of the clerk of the supreme court of appeals, one thousand dollars.

Reporter court of appeals.

For salary of the reporter of the supreme court of appeals, one thousand dollars.

Courts' contingent.

For contingent expenses of courts, four thousand dollars.

For criminal charges, including convicts in jails and their removal, witness', jurors' and jailors' fees, forty thousand dollars. Criminals.

For current expenses of the West Virginia Hospital for the Insane, for the fiscal year eighteen hundred and sixty-six, sixteen thousand dollars. Lunatics.

For expenses of lunatics confined in jails and of conveying them to the hospital, three thousand dollars. Same.

For salary of the governor, two thousand dollars; auditor, one thousand five hundred dollars; treasurer, one thousand four hundred dollars; secretary of the state, one thousand three hundred dollars; and attorney general, one thousand dollars. Executive officers.

For salary of adjutant general, one thousand five hundred dollars.

For salary of quartermaster general, one thousand three hundred dollars.

For the governor, for rent of executive mansion, seven hundred and fifty dollars. House rents.

For auditor, for rent of house, six hundred dollars.

For the secretary of the state, for rent of house, four hundred dollars.

For treasurer, for rent of house, two hundred dollars.

For adjutant general, for rent of house, two hundred dollars.

For contingent expenses of the auditor's office, including books, stationery, printing, postage and fuel, two thousand dollars. Contingents of executive offices.

For contingent expenses of the office of the secretary of the state, including necessary clerk hire, one thousand three hundred dollars.

For contingent expenses of the treasurer's office, three hundred dollars.

For contingent expenses of the adjutant general's office, seven hundred and fifty dollars.

For contingent expenses of the quartermaster general's office, two thousand dollars.

For pay of clerk of the house of delegates as keeper of the rolls, three hundred dollars. Keeper of the rolls.

For salary of first clerk in auditor's office, one thousand two hundred dollars. Clerks' salaries.

For salary of second clerk in auditor's office, one thousand dollars.

For salary of the clerk in adjutant general's office, eight hundred dollars.

For salary of clerk in treasurer's office, four hundred dollars.

For salary of vaccine agent, including fifty dollars not appropriated for since organization of state, one hundred and fifty dollars. Vaccine agent.

For public printing, seven thousand dollars. Printing.

For printing balance of report of Daniel Lamb, by virtue of his contract with joint committee of the legislature, for revising, collating and digesting the code of West Virginia, two thousand five hundred and ninety-five dollars and thirty cents. Code.

- Janitor.** For janitor and guard of executive offices, one thousand dollars.
- Civil contingent.** On account of the civil contingent fund, ten thousand dollars.
- Militia claims.** For militia claims allowed by regimental courts, under act of March third, eighteen hundred and sixty-four, six thousand dollars.
- Registration of births, &c.** For registration of births, deaths and marriages, one thousand five hundred dollars.
- Gettysburg cemetery.** For soldiers national cemetery at Gettysburg, six hundred and twenty-eight dollars and three cents.
- Erroneous assessments.** For refunding taxes erroneously assessed, seven hundred and fifty dollars.
- Refunding capitations.** For refunding capitation tax under act of February fourteenth, eighteen hundred and sixty-five, fourteen thousand nine hundred dollars.
- Assessors.** For payment of assessors appointed under act of February twenty-fifth, eighteen hundred and sixty-four, three thousand and fifty dollars.
- Overpaid taxes.** For refunding over-paid taxes and payment of sheriff's commissions, two thousand dollars.
- William Alexander.** For the relief of William Alexander, six hundred dollars.
- F. H. Peirpoint.** For the relief of Francis H. Peirpoint, one hundred and twenty-nine dollars and seventy cents.
- Robertson Cook.** For the relief of Robertson Cook, seven hundred and thirty-two dollars and fifty cents.
- St. Clair Rains.** For the relief of St. Clair Rains, one hundred and three dollars and eighty cents.
- Distributing documents.** For clerk of the house of delegates for expenses of distributing documents, sixty dollars.
- For agricultural college, ———— dollars.
- Penitentiary.** For penitentiary fifty thousand dollars.
- Hospital for insane.** For construction of West Virginia Hospital for the Insane, seventy-five thousand dollars.
- Registry of voters.** For expenses of registration of voters, twelve thousand dollars.
- Re-valuation of lands.** For expenses of revaluation of lands, fifteen thousand dollars.
- Antietam cemetery.** For soldiers national cemetery at Antietam, Maryland, one thousand six hundred and seventy-two dollars and forty cents.
- Certain assessors.** For pay of certain assessors for services rendered in the years eighteen hundred and sixty-one, eighteen hundred and sixty-two and eighteen hundred and sixty-three, nine hundred dollars.
- Daniel Lamb.** For Daniel Lamb, to employ a clerk to assist in preparing the code, five hundred dollars.
- Militia claims.** For payment of militia claims audited by "Board of Claims," one hundred and forty-eight thousand three hundred and ninety-nine dollars and ninety-nine cents.
- Immigration.** For the commissioner of immigration as compensation for services rendered and to refund money expended and to be expended by him, one thousand dollars.

- For soldiers' medals, twenty thousand dollars. Soldiers' medals.
- For support of lunatics in the insane asylums at Williamsburg and Staunton, Virginia, twenty-three thousand seven hundred dollars. Lunatics in Virginia.
- For expenses of the board of claims, two hundred and fifty dollars. Board of claims.
- For expenses of extra session of the legislature, ten thousand dollars. Extra session.
- For providing books for the state law library, two thousand dollars. Library.
- For paying Captain William Gandec's company of state scouts from February first to May thirtieth, eighteen hundred and sixty-five, one thousand and fifty-six dollars and seven cents. State scouts.

CHAP. 130.—An ACT in relation to the undetermined cases in the Supreme Court of Appeals of Virginia, belonging to this State.

Passed March 1, 1866.

Whereas, There are many cases in the supreme court of appeals of Virginia, at Lewisburg and Richmond, left undetermined by the said court at the time of the breaking out of the rebellion, the subject matter of which belongs to this state and a large amount of the papers of the said cases have been recovered from the cases at Lewisburg and are now in the supreme court of appeals library room, and some of which cases properly belong to the state of Virginia: Therefore,

Preamble.

Be it enacted by the legislature of West Virginia :

1. That the governor be and he is authorized to appoint one or more agents on behalf of this state, to examine and arrange the said papers so returned of the undetermined business of the said supreme court of appeals of Virginia, and to retain and return to the supreme court of appeals of this state, such cases as belong to this state, and to return to the state of Virginia the cases belonging to that state, and to procure the cases at Richmond belonging to this state and deliver the same to the proper court here for final disposition, according to law.

Appointment of agents by governor and their duties.

2. That the expenses of the said proceeding shall be paid by the governor out of the contingent fund.

Expenses.

CHAP. 131.—An ACT to incorporate the Covington and Ohio Railroad Company.

Passed March 1, 1866.

Be it enacted by the Legislature of West Virginia :

1. That the persons upon whom the benefits of this charter may be hereafter conferred, and who may be organized as hereinafter provided, shall thereupon be constituted a corporation, under the name and style of "The Covington and Ohio Railroad Company," according to the provisions of the code of Virginia, second edition, for the government of incorporated companies and not inconsistent herewith.

Style of company.

Rights of company in C. & O. R. R.

2. The said Covington and Ohio railroad company, when fully constituted and certified as hereinafter provided, shall have all the rights, interests and privileges of whatsoever kind, in and to the Covington and Ohio railroad, and appurtenances thereto belonging, now the property of the State of West Virginia, upon condition that it shall, within six months after its incorporation, as provided in the tenth section of this act, commence and within six years complete, equip and operate a railroad from some point at or near Covington, Alleghany county, Virginia, and connecting with the Virginia Central railroad, by the way of the White Sulphur Springs, and the valleys of Greenbrier river, New river and Kanawha river, to a point at or near the mouth of Scary creek, and thence to the Ohio river, with the right to adopt the line of the West Virginia Central railway from Charleston to the Ohio river, upon such terms as may be agreed upon with the said West Virginia railway company. The said road to be constructed in a style at least equal to that of the Virginia Central railway, and with grades not higher than those adopted by C. B. Fisk, esquire, the former engineer of the Covington and Ohio railroad.

Condition.

Right to construct branch.

3. The said Covington and Ohio railroad company shall have the right to construct a branch from its main line to connect with the Virginia and Tennessee railroad at such points as it may deem most expedient, and the said company is hereby empowered to acquire real property necessary for the construction of the said railroad and of the said branch.

Capital stock.

4. The capital stock of the company shall not be less than three millions of dollars nor more than twelve millions, in shares of one hundred dollars each, but if necessary to augment the capacity of said road, the capital may from time to time, by a vote of two-thirds of the stockholders, be increased to an amount not exceeding twenty millions of dollars, and each stockholder shall be entitled to one vote for each share of his stock.

Organization.

5. The stockholders at their first meeting shall elect directors, who, a majority thereof being necessary for a quorum, shall elect a president (from their own body) and shall appoint all other officers and agents, make by-laws and transact all business necessary to promote the purposes of the corporation.

Power to borrow money.

6. The president and directors may create indebtedness in the manner prescribed by the by-laws for the purchase of materials, the construction and equipment of said railroad and for all other necessary purposes.

Rate of freights.

7. The rate of charge by said company for passengers and freight transported on the main line and branches of said railroad shall never exceed the highest allowed by law to other railroads in the state, and no discrimination shall be made in such charges against any connecting railroad or canal company chartered by the state, and no taxation upon the property of the said company shall be imposed by the state until the profits of said company shall amount to ten per cent on the capital of the company.

Exemption from taxation.



8. If said company shall fail to commence work or put the road in operation within the time specified in the second section, then the franchise hereby granted shall revert to the state, and the commissioners hereinafter named shall take possession of the said road after serving due notice in writing to the president of said company, that said reversion and repossession is claimed.

Failure of company to comply with charter.

9. George W. Summers, James Burley, Burton Despard, Joel McPherson and James O. Watson are hereby appointed commissioners to act on the part of the state of West Virginia, who shall act in conjunction with the commissioners appointed by the state of Virginia, whose duty it shall be to offer the benefits of this charter for the acceptance of capitalists, so as to secure the speediest and best construction, equipment and operation of said railroad. To this end they are empowered to make a contract with any parties who shall give the best terms and the most satisfactory assurances of capacity and responsibility, and to introduce into said contract any additional stipulations for the benefit of the state, and in furtherance of the purposes herein declared and not inconsistent with this act; which said contract shall be to all intents and purposes as much a part of this charter as if the same had been herein included at the time of the passage of this act. Provided, That no act of the said commissioners, whether acting by themselves or in conjunction with the commissioners appointed by the state of Virginia, shall be valid or effectual unless approved of or voted for by at least three of the commissioners appointed by this act.

West Virginia commissioners.

Authorized to make contract for construction of road.

Proviso.

10. The certificate of the said commissioners of the due execution of the said contract, and the organization of the said company, shall operate to confer upon said company all the benefits of this charter, subject only to the provisions of the code of Virginia, second edition, for the government of internal improvement companies, so far as the same may not be inconsistent herewith.

Effect of contract.

11. Should the forfeiture provided for in the eighth section occur, the said commissioners may make a new contract with any other parties as though no former contract had been made.

New contract.

12. The said commissioners may receive from the treasury of the state their necessary expenses incurred in the execution of the duty herein imposed upon them, and shall not directly or indirectly receive any emolument from, or have any interest in any company created by this charter.

Commissioners expenses.

13. The governor shall, upon the passage of this act, immediately communicate the same to the governor of Virginia.

Duty of governor.

## CHAP. 132.—An ACT in relation to Oaths of Suitors.

Passed March 1, 1868.

Be it enacted by the Legislature of West Virginia:

The act entitled "An Act to prevent the prosecution of suits and the suing out of process by persons engaged in the rebellion," passed February twenty-eighth, eighteen hundred and sixty-five, shall not apply to any case wherein the cause of action arose since the first day of April, eighteen hundred and sixty-five, or shall hereafter arise; nor shall any plaintiff be required to take any of the oaths prescribed by the said act until the defendant or defendants shall take and file with the papers of the cause, in addition to the oath required by the said act for defendants, the same oath which plaintiffs may be required to take under the said act.

# JOINT RESOLUTIONS.

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[No. 1.] Joint Resolution in reference to printing the Governor's Message.

Resolved by the Legislature of West Virginia, That five thousand copies of the governor's message be printed for the use of the legislature.

ADOPTED, January 17, 1866.

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[No. 2.] A Joint Resolution referring the Documents accompanying the Governor's Message.

Resolved by the Legislature of West Virginia, That the documents accompanying the governor's message be referred to a joint committee of five, three to be appointed for the house and two for the senate, to report what portions of the said documents, and the number of each, should be printed for the use of the two houses.

ADOPTED, January 17, 1866.

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[No. 3.] Joint Resolutions requesting the Members of Congress from this State to urge the consent of Congress to the transfer of the Counties of Berkeley and Jefferson to this State.

Whereas, On the 31st day of January, A. D. 1863, the legislature of the state of Virginia passed a law giving the consent of said state to the county of Berkeley becoming a part of the state of West Virginia, and authorizing a vote to be taken in said county on the fourth Thursday of May, 1863, upon the question of annexing said county to the state of West Virginia; and, whereas, on the fourth day of February, A. D. 1863, a like law was passed by the legislature of the state of Virginia, authorizing the people of Jefferson county on the same day to take a vote upon annexing said county of Jefferson to the state of West Virginia; and, whereas, on the said fourth Thursday of May, A. D. 1863, a vote was taken in each of said counties in pursuance of said laws upon the question of annexing said counties to the state of West Virginia, and a majority of the votes cast in each of said counties was in favor of said annexation; and, whereas, on the 22d day of July, A. D. 1863, his excellency Francis H. Peirpoint, then and still governor of the commonwealth of Virginia, certified to the governor of the state of West Virginia under his hand and the less seal of said state, that from the returns on file in his office a very large majority of the votes cast at said elections in said counties was in favor of said annexation; and, whereas, on the 5th day of August, A. D. 1863, the legislature of West Virginia passed a law accepting the transfer and annexation of the said county of Berkeley to the said state of West Virginia;

and, whereas, on the 2d day of November, A. D. 1863, the legislature of West Virginia passed a like law accepting the transfer and annexation of said county of Jefferson to the said state West Virginia; and, whereas, ever since the passage of these laws the state of West Virginia and the various state, county and township officers of said state have continually exercised exclusive and undisputed jurisdiction, and all the acts of municipal sovereignty necessary for the good government of said counties; and, whereas, it has been recently claimed and insisted that the transfer and annexation of said counties was not valid and complete until the same was ratified by congress; and, whereas, the doubt and uncertainty created by such claims and representations tend greatly to create a spirit of insubordination and disloyalty to the laws and government of the state: therefore,

Be it resolved by the Legislature of the state of West Virginia :

1. That our senators and representatives in congress be requested to urge the speedy passage of a bill or joint resolution by congress giving its consent to the annexation and transfer of said counties to the state of West Virginia, ratifying and approving the same.

2. Resolved, That the governor be requested to furnish each of our senators and representatives in congress a copy of the foregoing resolutions.

ADOPTED, January 18, 1866.

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[No. 4.] Joint Resolution fixing a time for the election of Public Printer.

Resolved by the Legislature of West Virginia, That the two branches will proceed on Tuesday, the 23d instant, at eleven o'clock A. M., to elect a public printer.

ADOPTED, January 20, 1866.

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[No. 5.] Joint resolution relating to the passage of a law by Congress granting lands to the State of West Virginia, to aid in the construction of certain Railroads.

Whereas, A bill is now pending in the house of representatives of the United States, entitled "A bill granting lands to the state of West Virginia to aid in the construction of certain railroads;" and, whereas, the early construction of the lines of railroad mentioned in said bill is of the utmost importance, not only to this state but to the nation at large, forming as they do indispensable links in the chain of great national highways; and whereas, the heavy expenditures imperatively demanded on the part of this state in the construction of her public buildings and otherwise, will, for a long time to come, be such as to prevent the state from assisting in the construction of said roads, therefore,

Resolved by the Legislature of West Virginia :

1. That we do most earnestly and respectfully request the congress of the United States to pass, and his excellency, the president of the United States, to approve, the said bill; and that our senators in the congress of the United

States be instructed, and our representatives therein requested, to use their utmost exertions to procure the passage thereof.

2. That his excellency, the governor of this state, forward to each of our said senators and representatives a copy of this preamble and resolutions.

ADOPTED, January 22, 1866.

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[No. 6.] Joint Resolution authorizing the Governor to employ an Agent to visit the Lunatic Asylums of Virginia.

Resolved by the Legislature of West Virginia, That the governor be authorized to employ an agent, who shall proceed immediately to Staunton and Williamsburg, Virginia, for the purpose of ascertaining the number of insane persons in the asylums at each of these places, who were sent from within this state, the amount claimed at each institution for their support to the 1st day of January, 1866, and the terms on which they can remain in these institutions for the current year; and that he make a report to the governor, to be laid before the legislature.

ADOPTED, January 22, 1866.

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[No. 7.] Joint Resolution providing for restoring the Statue of George Washington to the State of Virginia.

Resolved by the Legislature of West Virginia, That his excellency, the governor, be and is hereby authorized to turn over to the state of Virginia, or its legally authorized agent, without expense to this state, the bronze statue of George Washington, formerly belonging to the state of Virginia.

ADOPTED, January 23, 1866.

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[No. 8.] Joint Resolution requesting the members of Congress from this State to secure the aid of the United States in repairing roads and bridges injured during the war.

Whereas, during the recent rebellion, our state, lying on the border, has been peculiarly exposed to the raids of the enemy and the ravages and desolations resulting from the oft repeated tread of advancing and retreating armies; and whereas, during this painful process, our citizens have endured suffering beyond weight or measure, in the loss of life in every form, at the hand of every variety of enemy — in captivity — in exile — in perils night and day; and in many parts of our state the general disruption of all organized legal and social order, and the embarrassment of even the ordinary pursuits indispensable to their comfort and existence. In this broad sweep of contending armies, and foes of lesser note, many of their churches, court houses — not to mention private property — have been injured or destroyed; but the roads and bridges, the most important of which, were in part owned by the state, and were used and many of them destroyed, by the Union armies — and the bridges burnt by order of the Union commanders as means of safety, leaving our principal roads impassable. Therefore,

Resolved by the Legislature of West Virginia, That our senators in congress be hereby instructed, and our representatives requested, to respectfully, yet earnestly, present our grievances to the attention of congress, and to adopt such measures as may best secure adequate relief in the premises; and that the governor transmit a copy hereof to each of our senators and representatives in congress.

ADOPTED, January 24, 1866.

[No. 9.] Joint Resolution relating to printing the Documents accompanying the Governor's Message.

Resolved by the Legislature of West Virginia:

1. That of the documents accompanying the governor's message there be printed for the use of the legislature, the number of copies hereinafter mentioned, namely:

Report of the auditor, two thousand.

Report of the treasurer, two thousand.

Report of the adjutant general, one thousand.

Report of the quartermaster general, one thousand.

Report of the board of claims, three hundred.

Report of the superintendent of schools, three thousand.

Report of the commissioner of immigration, two thousand.

Report of the superintendent of the Hospital for the Insane, three thousand.

Report of the commissioner of the Gettysburg Cemetery, two thousand.

Letter of the president of the James River and Kanawha Company, three hundred.

Letter of the president of the Virginia Central Railroad, three hundred.

2. That the copies of the adjutant general's report of this year, and the unbound copies remaining on hand of his last year's report, be half bound, to be distributed, one copy to each member and officer of the legislature, and the remainder as may be hereafter provided.

3. That of the documents above named, except the adjutant general's report, there be bound in like manner, together with the governor's message, three hundred copies, to be distributed one copy to each member and officer of the legislature, and the remainder as the governor may direct.

ADOPTED, January 26, 1866.

[No. 10.] A Joint Resolution providing a Guard for State Convicts in the Jail of Ohio County.

Resolved by the Legislature of West Virginia, That the governor, whenever in his opinion it is necessary for the safe keeping of the convicts confined in the jail of Ohio county, is authorized to employ one efficient guard for the said jail at a sum not exceeding two dollars per day, in addition to the guards now authorized to be employed by law, to guard the said jail in day time.

ADOPTED, January 30, 1866.

[No. 11.] A Joint Resolution providing Medals of Honor for West Virginia Soldiers.

Resolved by the Legislature of West Virginia, That the governor procure, or cause to be procured, suitable medals as tokens of respect to the officers and soldiers of West Virginia who have served during the rebellion in the service of the United States, containing upon one side the name of the recipient, with his regiment, battalion or battery, surrounded by a wreath; upon the reverse side some appropriate design and inscription. The medal to be suspended by a piece of tri-colored silk ribbon; its artistic features to be equal to the Crimean medal, and its cost not to exceed one dollar each.

The medals and inscriptions to be of four kinds.

1. For the officers and soldiers of the volunteer army who have been or may be honorably discharged from the service.
2. For the officers and soldiers who have been killed in battle.
3. For the officers and soldiers who have died from wounds received in battle.
4. For the officers and soldiers who have died from diseases contracted in the service.

The medals for the officers and soldiers who have been killed in battle or who have died of wounds or disease in the service, to be delivered to the families of said officers and soldiers.

ADOPTED, February 1, 1866.

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[No. 12.] A Joint Resolution relating to the late Reciprocity Treaty with England.

Resolved by the Legislature of West Virginia:

1. That our representatives in congress be requested, and our senators instructed, to oppose a renewal of the late reciprocity treaty with England, in relation to our trade with Canada, and to insist that the duty on coal coming into the United States, whether from the British Provinces or elsewhere, shall not be less than two dollars per ton.

2. That a copy of the foregoing resolutions be transmitted by the clerk of the house of delegates to each of our representatives and senators in congress.

ADOPTED, February 12, 1866.

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[No. 13.] A Joint Resolution agreeing to the proposed Amendment to the State Constitution.

Whereas, The legislature of this state, at its last session, in conformity to the constitution, agreed to the following proposed amendment to the constitution of this state, to be added at the end of the first section of the third article thereof, to become part of the said constitution when ratified according to the provisions thereof, namely:

“No person who, since the first day of June, 1861, has given or shall give voluntary aid or assistance to the rebellion against the United States, shall be

a citizen of this state, or be allowed to vote at any election held therein, unless he has volunteered into the military or naval service of the United States, and has been or shall be honorably discharged therefrom.'"

And, whereas, The said proposed amendment was published for at least three months before the last general election, in some newspaper in every county in the state in which there was at that time a newspaper printed, therefore,

Resolved by the Legislature of West Virginia, That the said proposed amendment is hereby agreed to.

ADOPTED, February 13, 1866.

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[No. 14.] Joint resolution to secure an appropriation by Congress for the payment of certain military claims created in this state during the late war.

Whereas, while it was, no doubt, the desire and intention of the authorities of the United States to protect the loyal people of West Virginia during the late war, by United States troops, from the inroads and devastations of the enemy, and for this purpose posts were established at several points along the border of the state; yet, on account of the great necessity for troops elsewhere—of our proximity to the enemy—a part of our state being occupied by his forces during a great portion of the time—of the fact that there were in our midst many who were traitors at heart, and who, while they professed submission to the laws, were ready to, and did frequently, secretly co-operate with their friends who had taken up arms against their country; and of the peculiar character of the controversy, strife and war which existed in our state, where families, friends and neighbors were separated and arrayed in deadly hostility on the subject of the rebellion and the means used for its suppression; all these made it impracticable for the government to afford that protection to the loyal people against rebel guerrillas, robbers and murderers which they were entitled to, and which was necessary to enable them to remain at their homes and provide the means of support for themselves and families; and it therefore became the duty of the state to provide that protection for its loyal citizens—especially in the border and more exposed counties—which it was manifest the United States did not, and, under the circumstances, probably could not do: And for this purpose independent companies were organized under state authority and were kept on duty in the counties most exposed and liable to the greatest injury at the hands of these armed bands of rebel robbers and murderers, and were paid for their services out of the treasury of the State in pursuance of appropriations made by the legislature for that purpose, and the moneys thus paid amount in the aggregate to the sum of two hundred and thirteen thousand nine hundred and eighty-eight dollars and forty-two cents. (\$213,988.42.)

And, whereas, in September, 1863, a company of the militia of Upshur county were under arms for the protection of their neighborhood, and while under arms were attacked and overpowered by a superior force of the enemy and sixty-eight (68) of their number were captured and carried off to southern prisons, where forty-five (45) of them died, and the survivors returned with



constitutions broken down and destroyed by the cruel and inhuman treatment received while in prison; and under an appropriation made by the legislature for the purpose, the state has paid to those of this company who returned and to the families of those who died, thirteen dollars per month for the time only that they were prisoners, amounting to the sum of six thousand nine hundred and fifty dollars and eighty cents. (\$6,950 80.)

And, whereas, the evidence of the payments so made, although somewhat informal, is nevertheless on file in the office of the quartermaster-general of the state, and is regarded by this legislature as sufficient proof that the payments have been made.

And whereas, It appears from the report of the board of claims, created by an act of the legislature, that claims to the amount of one hundred and forty-seven thousand, six hundred and nine dollars and ten cents (\$147,609 10) have been audited by said board for services rendered by the militia of this state since the 20th day of June, 1861; for subsistence furnished the militia when called into service; for the expenses of transportation of such militia and of supplies for their use, and for subsisting and equipping volunteer recruits subsequently mustered into the United States service.

And whereas, This state has furnished its full proportion of troops to the United States army during the late war, exclusive of the state companies mentioned: therefore,

Resolved by the Legislature of the West Virginia :

1. That in view of the facts above recited, which are hereby affirmed to be true; and inasmuch as the sums of money paid by the state, as before mentioned, were paid to state troops who supplied the places of a like number of United States troops, and who afforded a local protection which it seemed impossible otherwise to secure; and the claims audited by the board as aforesaid for the services of the militia of the state, &c., said sums amounting in the whole to three hundred and sixty-eight thousand, six hundred and forty-eight dollars and thirty-seven cents, (\$368,648 37) in the opinion of this legislature constitute a just demand against the United States and should be paid by the United States to this state.

2. That the governor be requested to furnish our senators and representatives in congress copies of these resolutions, and also place in their hands evidence of the payment of the claims herein mentioned, and the claims audited by the board as aforesaid, in order that they may lay the same before congress and take such action as in their opinion will secure an appropriation by that body to repay to the state the money paid out as herein set forth, and to pay the claims audited by the "Board of Claims" for the state, before mentioned.

ADOPTED, February 17, 1866.

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[No. 15.] A Joint Resolution proposing to Celebrate the Anniversary of Washington's Birthday.

Resolved by the Legislature of West Virginia, That the senate and house of delegates meet in joint session in the hall of the latter, on Thursday, the

22d inst, at 10 o'clock, A. M., and that Washington's farewell address be read upon the occasion.

ADOPTED, February 19, 1866.

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[No. 16.] A Joint Resolution in reference to Printing the Governor's Message concerning Lunatics from this State in Virginia Asylums.

Resolved by the Legislature of West Virginia, That two thousand copies of the governor's message concerning lunatics from this state now in the lunatic asylums of Virginia, with the documents accompanying it, be printed for the use of the two houses.

ADOPTED, February 19, 1866.

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[No. 17.] Joint Resolution providing for the appointment of trustees of the Berkeley Springs.

Resolved by the Legislature of West Virginia :

1. That the trustees of Berkeley Springs are hereby removed.
2. The judge of the 10th judicial circuit is hereby authorized and empowered to appoint twenty loyal trustees for the said Berkeley Springs, either from the old board of trustees or from amongst those who have not acted as trustees.
3. The judge of the 10th judicial circuit is hereby appointed, *ex officio*, president of said board of trustees.

ADOPTED, February 28, 1866.

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[No. 18.] Joint Resolution providing for printing the Executive Message and Documents.

Resolved by the Legislature of West Virginia :

1. The governor is hereby directed to have printed before the regular meeting of the legislature in the year 1867, five thousand copies of the governor's annual message, and two thousand two hundred and fifty copies each of the reports of the several officers required to report to the legislature through the governor, and of any other document he may deem essential to accompany the message.
2. Of the documents to be printed as aforesaid, each officer making a report shall be entitled to two hundred and fifty copies thereof, and the governor to the same number of the message, reports and documents for the use of the executive department, and a like number of the same to be bound together and disposed of as the governor may direct, and the residue shall be distributed between the houses of the legislature in proportion to the number of members composing each.

ADOPTED, February 28, 1866.

[No. 19.] Joint Resolutions providing for re-printing certain acts.

Resolved by the Legislature of West Virginia :

1. Fifteen hundred copies each of the ordinances of the convention which assembled at Wheeling, on the the 11th of June, 1861, of the acts of the general assembly of Virginia, passed at the sessions commencing July 1, 1861, December 2, 1861, May 6, 1862, and December 4, 1862, with the constitution of this state, the schedule accompanying the original constitution and the ordinances accompanying the amended constitution, and the acts of the legislature for the years 1863, 1864, 1865 and 1866, shall be printed and bound in one volume in the form now prescribed by law for the acts of each session.

2. The volumes to be printed and bound as provided in the foregoing section, shall be delivered by the public printer to the secretary of the state, who shall dispose of the same as provided in section 11 Chapter 21 acts of 1865, except that he shall deliver to the clerk of the senate twenty-two copies, one for his own use and the others to be kept in his office for the use of the senate; sixty copies to the clerk of the house of delegates, one for his own use and the others to be kept in his office for the use of the house, and shall place twelve copies in the library of the state, and five copies in the library of the supreme court of appeals, and shall offer for sale the remainder at a price to be fixed by him, not below cost, and pay the proceeds of all sales into the treasury.

ADOPTED, February 28, 1866.

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[No. 20.] Joint Resolution providing for the distribution of certain acts.

Resolved by the Legislature of West Virginia, That the 500 copies of the acts in sheets, to which the members of this legislature are entitled, be by the public printer bound as the other acts of the session are bound, and delivered to the clerk of the house of delegates, whose duty it is made to forward the same as soon as practicable to the members of this legislature.

ADOPTED March 1, 1866.



# CORPORATIONS.

## GREAT KANAWHA OIL AND COAL COMPANY.

I, J. Edgar Boyers, secretary 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 Oil and Coal Company,' for the purpose of developing the petroleum, mineral, lumber and all other resources of such tracts of land as the company may purchase hereafter ; and to manufacture, refine, sell and convey to market the products thereof ; which corporation shall keep its principal office or place of business at the company's works, in the county of Kanawha, and is to expire on the second day of January, eighteen hundred and eighty-five. 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 two thousand five hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one million of 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 Joseph Singerly, No. 1530 North Broadway street, Philadelphia, five hundred shares ; Joseph Collins, No. 1236, Spring Garden street, five hundred shares ; James L. Elliott, M. D., No. 403, North Twelfth street, Philadelphia, five hundred shares ; Andrew D. Caldwell, No. 132 South Third street, Philadelphia, five hundred shares ; James F. Gayley, M. D., No. 133 South Eighteenth street, Philadelphia, five hundred 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 January, eighteen hundred and sixty-five.

[Signed,]

JOSEPH SINGERLY,  
JOSEPH COLLINS,  
A. D. CALDWELL,  
J. F. GAYLEY,  
JAMES L. ELLIOTT."

Wherefore, the corporators named in the said agreement, and who have signed the same, are declared to be from this date until the second day of January, eighteen hundred and eighty-five, 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 Wheeling, this the seventeenth day of January, eighteen hundred and sixty-five.

J. EDGAR BOYERS,  
*Secretary of the State.*

SEAL.

## LA BELLE OIL COMPANY.

I, J. Edgar Boyers, secretary 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 La Belle Oil Company of West Virginia, for the purpose of boring for rock oil and petroleum, and refining the same; boring for salt water and manufacturing the same; boring or mining for other minerals and preparing the same for market; which corporation shall keep its principal office at New Cumberland, Hancock county, West Virginia, and branch offices at Pittsburgh, Pennsylvania, and elsewhere; and is to expire on the first day of January, A. D. eighteen hundred and eighty-five. And for the purpose of forming said corporation we have subscribed the sum of forty-eight thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of forty-eight thousand dollars; and desire the privilege of increasing the said capital by sales 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; which are held by the undersigned respectively, as follows, that is to say: By Joseph H. Campbell, of East Liberty, (near Pittsburgh,) Allegheny county, Pennsylvania, twelve thousand shares; William A. Garden, East Liberty, twelve thousand shares; Charles W. Batchelor, East Liberty, three thousand shares; A. H. Grass, East Liberty, six thousand shares; R. C. Beatty, East Liberty, three thousand shares; Joseph Graham, East Liberty, three thousand shares; James McLain, East Liberty, three thousand shares; Samuel Dickey, East Liberty, three thousand shares; D. W. Lewis, East Liberty, three thousand shares; and the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this eighteenth day of January, A. D. eighteen hundred and sixty-five.

[Signed,]

J. H. CAMPBELL,  
A. H. GROSS,  
WM. A. GARDEN,  
JOSEPH GRAHAM,  
D. W. LEWIS,  
JAS. MCLAIN,  
R. C. BEATTY."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of January, eighteen hundred and eighty-five, 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 Wheeling, this twentieth day of January, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
Secretary of the State.

## THE DESPARD COAL COMPANY.

I, J. Edgar Boyers, secretary 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 Despard Coal Company' for the purpose of carrying on the business of mining coal in the county of Harrison, West Virginia; which corporation shall keep an office or place of business upon its own lands in the vicinity of Clarksburg, in said county, and also an office in the city of Baltimore, and shall determine in its by-laws at which of its two offices the meetings of its board of directors and other corporate business shall be ordinarily conducted. The said corporation shall continue in existence twenty years from the date of its incorporation unless legally dissolved in the meantime. And for the purpose of forming the said corporation, we have subscribed the sum of five hundred and eighteen thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred and twenty-nine thousand five hundred dollars, and desire the privilege of increasing the said capital by sales 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 each, which are held by the undersigned respectively as follows: Burton Despard, of Clarksburg, West Virginia, one thousand shares; John J. Wight, of Baltimore, Maryland, nine hundred and fifty shares; Joseph W. Jenkins, of Baltimore, Maryland, seven hundred and sixty shares; David Foley, of Baltimore, Maryland, seven hundred and sixty shares; William F. Buras, of Baltimore, Maryland, five hundred and seventy shares; Charles F. Mayer, (of Lewis,) Baltimore, Maryland, five hundred and seventy shares; William C. Pennington, of Baltimore, Maryland, five hundred and seventy shares. And the capital to be hereafter sold, is to be divided into shares of the like amount.

"Given under our hands, this eighteenth day of January, eighteen hundred and sixty-five, and is signed by the said parties in the order above set forth."

Wherefore, the corporators named in the said agreement and who have signed the same, are hereby declared to be from this date until the twenty-third day of January, eighteen hundred and eighty-five, a corporation by the name of the Despard Coal Company, for the purposes set forth in the said agreement.

Given under my hand and the great seal of the state of West Virginia, at Wheeling, on this twenty-third day of January, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

## WIRT COUNTY, BURNING SPRINGS AND STANDING STONE OIL COMPANY.

I, J. Edgar Boyers, secretary 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 Wirt County, Burning Spring and Standing Stone Oil company, for the purpose of

buying and leasing oil territory; for boring, excavating and mining for petroleum, rock oil or carbon oil, and buying and selling the same; which corporation shall keep its principal office or place of business at Burning Springs, West Virginia, and is to expire on the twenty-fourth day of January, A. D., (1885) eighteen hundred and eighty-five, at the expiration of twenty years from the date of their certificate of incorporation. 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 one hundred thousand shares of ten dollars each, which are held by the undersigned respectively, as follows, that is to say: by Henry G. Fisher, of the city of Philadelphia and state of Pennsylvania, twenty-four thousand shares; William H. Richards, of the city of Philadelphia and state of Pennsylvania, twenty-four thousand shares; Walter Bell, of the city of Philadelphia and state of Pennsylvania, twenty-four thousand shares: John E. McCaullay, of the city of Philadelphia and state of Pennsylvania, twenty-four thousand shares, and William W. Harding, of the city of Philadelphia and state of Pennsylvania, four thousand shares.

[Signed,]

HENRY G. FISHER,  
WALTER BELL,  
JOHN E. MCCAULLAY,  
WILLIAM H. RICHARDS,  
WILLIAM H. HARDING.'"

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the twenty-fourth day of January, eighteen hundred and eighty-five, 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 Wheeling, this twenty-fourth day of January, eighteen hundred and sixty-five.

J. EDGAR BOYERS,  
*Secretary of the State.*

SEAL.

#### CLINTON FURNACE OIL AND MINING COMPANY, OF WHEELING, BALTIMORE AND PHILADELPHIA.

I, J. Edgar Boyers, Secretary 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 'Clinton Furnace Oil and Mining Company, of Wheeling, Baltimore and Philadelphia,' for the purpose of mining iron ore, manufacturing metal, iron castings, bar iron and nails, mining coal for sale, boring and sinking oil and salt wells, upon lands in West Virginia; also for the purpose of refining oil; and for said purposes the company shall keep its principal office in the city of Wheeling, Ohio county, West Virginia; and is to expire on the twenty-fourth day of January, A. D. one thousand eight hundred and eighty-five. And for the purpose of forming the said corporation we have subscribed and paid in the sum of three hundred thousand dollars to the capital stock thereof, consisting of lands, properties and improvements lying on the waters of Booth



creek, in Monongalia county, West Virginia; and desire the privilege of increasing the capital stock of same by the sale of additional shares from time to time, to one million 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 M. B. Cox, Wheeling, West Virginia, five thousand shares; Robert Crangle, Wheeling, West Virginia, two thousand five hundred shares; James Dalzell, Wheeling, West Virginia, two thousand five hundred shares; Henry Crangle, Wheeling, West Virginia, two thousand five hundred shares; J. D. Dubois, Wheeling, West Virginia, two thousand five hundred shares; Washington Booth, Baltimore, Maryland, two thousand five hundred shares; Robert Lehr, Baltimore, Maryland, two thousand five hundred shares; Jacob Branett, jr., Baltimore, Maryland, seven thousand five hundred shares; George H. Stewart, Philadelphia, Pennsylvania, two thousand five hundred shares. And the capital to be hereafter sold is to be divided into shares of like amount, (ten dollars each share.)

Given under our hands this the sixteenth day of January, A. D. one thousand eight hundred and sixty-five.

[Signed,]

JAMES DALZELL,  
J. D. DUBOIS,  
HENRY CRANGLE,  
GEO. H. STEWART,  
M. B. COX,  
R. CRANGLE,  
WASHINGTON BOOTH,  
ROBERT LEHR,  
JACOB BARNETT, JR."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-fourth day of January, eighteen hundred and eighty-five, 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 Wheeling, this twenty-fourth day of January, eighteen hundred and sixty-five.

J. EDGAR BOYERS,  
*Secretary of the State.*

SEAL.

#### BRANDYWINE OIL COMPANY.

I, J. Edgar Boyers, secretary 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 Brandywine Oil Company,' for the purpose of buying and leasing oil territory, for boring, excavating and mining for petroleum, rock oil or carbon oil, and buying and selling the same.

"Which corporation shall keep its principal office or place of business at Philadelphia, state of Pennsylvania, and is to expire on the twenty-fifth day of January, (1885) eighteen hundred and eighty-five, at the expiration of twenty years from the date of their certificate of incorporation.

"And for the purpose of forming the said corporation, we have subscribed the sum of two hundred and fifty thousand dollars to the capital stock thereof,

and have paid in on said subscriptions the sum of twenty-five thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into twenty-five thousand shares of ten dollars each, which are held by the undersigned respectively as follows, that is to say, by George Stearns, of the city of Philadelphia, state of Pennsylvania, five thousand shares; William Stearns, of the city of Philadelphia, state of Pennsylvania, five thousand shares; A. J. Barrett, of the city of Wilmington, state of Delaware, five thousand shares; Charles Hathaway, of the city of Philadelphia, state of Pennsylvania, five thousand shares, Joseph Singerly, of the city of Philadelphia, state of Pennsylvania, five thousand shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

"Given under our hands this twentieth day of January, A. D. eighteen hundred and sixty-five.

[Signed,]

GEORGE STEARNS,  
WILLIAM STEARNS,  
A. J. BARRETT,  
CHARLES HATHAWAY,  
JOSEPH SINGERLY."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-fifth day of January, eighteen hundred and eighty-five, 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 Wheeling, this twenty-fifth day of January, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

#### THE OIL RUN PETROLEUM COMPANY.

I, J. Edgar Boyers, secretary 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 Oil Run Petroleum Company of West Virginia, for the purpose of mining, quarrying, boring for, pumping and manufacturing coal oil or petroleum, and the manufacturing of barrels, tanks and all other implements and machinery necessary to the business of obtaining such oil and preparing the same for transportation to market; which corporation shall keep its principal office or place of business at or near Petroleum, in the county of Ritchie, West Virginia, and is to expire on the first day of January, A. D., one thousand eight hundred and eighty-five. - And for the purpose of forming the said corporation, we have subscribed the sum of one million of 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 five dollars each, which are held by the undersigned respectively, as follows, to-wit: by John S. Carlile, of Clarksburg, West Virginia, forty thousand shares, and Philip Johnson, of the borough of Easton, Pennsylvania, the like number of forty thousand shares; by Henry G. Tombler, of Easton, Pennsylvania, twenty

thousand shares thereof, and by Charles Glanz and Willibold Kuebler, of the said borough of Easton, as partners, the like number of twenty thousand shares; by Thomas Heckman and Josiah Cole, both of the borough of Easton aforesaid, each eight thousand shares, and also William Mutchler, of the same place, eight thousand shares; by Francis V. Barnet, Daniel H. Neiman, James Madison Porter and Mrs. Theresa Kavanaugh, all of the same place, each four thousand shares; forty thousand shares of the said capital stock being reserved by the said company as working capital, to be hereafter sold to the credit of the said company, and to be divided pro rata among the aforesaid corporators thereof, or disposed of in such manner as they may lawfully direct.

"Given under our hands this sixteenth day of January, one thousand eight hundred and sixty-five. [Signed,]

JOHN S. CARLILE,	PHILIP JOHNSON,
H. G. TOMBLER,	CHARLES GLANZ,
WILLIBOLD KUEBLER,	THOMAS HECKMAN,
JOSIAH COLE,	WILLIAM MUTCHLER,
FRANCIS V. BARNET,	D. H. NEIMAN,
JAMES M. PORTER,	THERESA KAVANAUGH."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of January, eighteen hundred and eighty-five, 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 Wheeling, this thirtieth day of January, eighteen hundred and sixty-five.

J. EDGAR BOYERS,  
*Secretary of the State.*

SEAL.

### THE KANAWHA RIVER OIL COMPANY.

I, J. Edgar Boyers, secretary 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 River Oil Company,' for the purpose of producing and manufacturing in Wirt county, West Virginia, petroleum oil and all its products; and for the further purpose of manufacturing any articles that may be necessary to its production, retention, transportation or sale; and for such other purposes as shall be necessary; which corporation shall keep its principal office or place of business in the city of Philadelphia, in the state of Pennsylvania, and is to expire on the twenty-first day of January, A. D. eighteen hundred and eighty-five. And for the purpose of forming the said corporation we have subscribed the sum of three hundred and seventy-five thousand dollars to the capital thereof, and have paid in on said subscription the sum of thirty-seven thousand five hundred 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 Aaron S. Lippincott, seventeen thousand seven hundred and fifty shares; James C. Thompson, seventeen thousand seven hundred and fifty shares; Nathan Hilles, six hundred and twenty-five

shares; Thomas Milnor, six hundred and twenty-five shares; William S. Halsey, seven hundred and fifty shares. And the capital to be hereafter sold is to be divided into shares of like amount.

"Given under our hands this twenty-first day of January, eighteen hundred and sixty-five. [Signed,]

AARON S. LIPPINCOTT,  
NATHAN HILLES,  
WILLIAM S. HALSEY,  
JAMES C. THOMPSON,  
THOMAS MILNOR."

Wherefore, the incorporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-first day of January, eighteen hundred and eighty-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, at Wheeling, this thirtieth day of January, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

#### THE REEDY CREEK OIL COMPANY.

I, J. Edgar Boyers, secretary 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 Reedy Creek Oil Company,' for the purpose of producing and manufacturing in Wirt and Jackson counties, West Virginia, petroleum oil and all its products, and for the further purpose of manufacturing any article that may be necessary to its production, retention, transportation or sale, and for such other purposes as shall be necessary. Which corporation shall keep its principal office or place of business in the city of Philadelphia, in the state of Pennsylvania, and is to expire on the twenty-first day of January, A. D. eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of three hundred and seventy-five thousand dollars to the capital thereof, and have paid in on said subscription the sum of forty-nine thousand five hundred 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 Aaron S. Lippincott, seventeen thousand seven hundred and fifty shares; James C. Thompson, seventeen thousand seven hundred and fifty shares; Nathan Hilles, six hundred and twenty-five shares; Thomas Wilnor, six hundred and twenty-five shares, William S. Halsey, seven hundred and fifty shares; and the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands, this, twenty-first day of January, eighteen hundred and sixty-five.

[Signed,]

AARON S. LIPPINCOTT,  
WILLIAM HALSEY,  
THOMAS WILNOR,  
JAMES C. THOMPSON,  
NATHAN HILLES."

Wherefore, the incorporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-

first day of January, eighteen hundred and eighty-five, 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 Wheeling, this thirtieth day of January, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

### THE FISHING CREEK OIL AND MINING COMPANY.

I, J. Edgar Boyers, secretary 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 Fishing Creek Oil and Mining Company of West Virginia,' for the purpose of boring for petroleum or rock oil, and for mining for coal and other minerals, and for the manufacture of lumber on such lands as may be held by them, and for the sale of the same; which corporation shall keep its principal office or place of business at Philadelphia, county of Philadelphia and state of Pennsylvania, and is to expire on the twenty-fourth day of January, A. D., one thousand eight hundred and eighty-five (1885.) And for the purpose of forming the said corporation, we have subscribed the sum of fifteen thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of fifteen hundred dollars, and desire the privilege of increasing the said capital by sales 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 Minor Rodgers, five hundred shares (500), Camden county, New Jersey; John P. Harper, two hundred shares, do.; Jacob Daily, Bridgeton, New Jersey, five hundred shares (500); William Corkrey, Philadelphia, Pennsylvania, two hundred shares (200); James Laird, do., one hundred shares (100), and the capital to be hereafter sold is to be divided into shares of like amount.

"Given under our hands and seals this twenty-fourth day of January, A. D., eighteen hundred and sixty-five.

[Signed, with seals,]

MINOR ROGERS,  
JOHN P. HARKER,  
JACOB DAILEY,  
WILLIAM CORKREY,  
JAMES LAIRD."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the twenty-fourth day of January, eighteen hundred and eighty-five, a corporation by the name and for the purposes named in the said agreement.

Given under my hand and the great seal of the said state, at Wheeling, this sixth day of February, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

## THE KANAWHA AND RIFFLE'S RUN OIL COMPANY.

I, J. Edgar Boyers, secretary 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 under the laws of the state of West Virginia, approved the twenty-sixth day of October, Anno Domini, eighteen hundred and sixty-three, and the supplement thereto, by the name, style and title of 'The Kanawha and Riffle's Run Oil Company,' for the purpose of mining, pumping or by other means procuring oil, gas and minerals, in the county of Wirt, and state of West Virginia, and to buy and lease lands for and by the corporation, and to others for a like object, and also to buy, sell, trade and deal in oils, and to store and transport the same, and to refine or cause the same to be refined, and generally to do and perform all matters and things needful, necessary or desirable in carrying on such business in oils or oil works, as well as to rent or erect and own machinery, tanks and works for refining processes or otherwise. The place where said corporation is established, and where it shall keep its principal office or place of business, is No. 417 Walnut street, in the city of Philadelphia and state of Pennsylvania. 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 subscription the sum of fifty thousand dollars, and desire the privilege of increasing the said capital by sales 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 two and a half dollars each, which are held by the undersigned, respectively, as follows: that is to say, Samuel Agnew, ten thousand (10,000) shares; James M. Ferguson, ten thousand (10,000) shares; S. C. Collins, four thousand (4,000) shares; J. M. Cardeza, four thousand (4,000) shares; S. A. George, four thousand (4,000) shares; F. J. McBeach, four thousand (4,000) shares; M. C. Agnew, four thousand (4,000) shares; and the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands and seals, this seventh day of February, Anno Domini, eighteen hundred and sixty-five. (A. D. 1865.)

[Signed, with seals,]

JAS. M. FERGUSON,  
J. M. CARDEZA,  
S. A. GEORGE,  
T. C. COLLINS,  
F. J. McBEACH,  
S. AGNEW.'

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the ninth day of February, eighteen hundred and eighty-five, 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 Wheeling, this ninth day of February, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
Secretary of the State.

## ATLANTIC COAL AND MINING COMPANY.

I, J. Edgar Boyers, secretary 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 'Atlantic Coal and Mining Company,' for the purpose of mining and selling coal exclusively; which corporation shall keep its principal office or place of business at Parkersburg, in the county of Wood, West Virginia, and is to expire on the first day of September, eighteen hundred and eighty-four. And for the purpose of forming said corporation, we have subscribed the sum of ten thousand (\$10,000) dollars to the capital thereof, and have paid in on said subscription the sum of one thousand 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 ten (\$10) dollars each, which are held by the undersigned as follows: that is to say by Beverly Smith, of the city of Parkersburg, two hundred shares; Thomas S. Conley, of the city of Parkersburg, two hundred shares; J. William Dent, of the city of Parkersburg, two hundred shares; William H. Crawford, of Harmar, Ohio, two hundred shares; Eugene List, of the city of Parkersburg, two hundred 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 February, eighteen hundred and sixty-five.

[Signed,]

B. SMITH,  
THOMAS S. CONLEY,  
J. WILLIAM DENT,  
WILLIAM H. CRAWFORD,  
EUGENE LIST."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of September, eighteen hundred and eighty-four, 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 state, at Wheeling, this tenth day of February, eighteen hundred and sixty-five.

J. EDGAR BOYERS,  
*Secretary of the State.*

SEAL.

## THE BLACK MOUNTAIN COAL, OIL AND IRON COMPANY.

I, J. Edgar Boyers, secretary 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 Mountain Coal, Oil and Iron Company,' of West Virginia, for the purpose of boring for oil, mining for coal and iron, and manufacturing iron, and for the sale of the same; which corporation shall keep its principal office or place of business at Palatine, in the county of Marion, and is to expire on

the first day of January, in the year eighteen hundred and eighty-five. 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 sales of additional shares, from time to time, to six 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 Robert Moran, of the county of Marion, in the state of West Virginia, two hundred shares; Thomas Y. Canby, of the city of Baltimore, in the state of Maryland, two hundred shares; by William Whitelock, of the city of Baltimore, in the state of Maryland, two hundred shares; by Philip G. Chappell, of the city of Baltimore, in the state of Maryland, two hundred shares; by Abraham B. Patterson, of the city of Baltimore, in the state of Maryland, two hundred 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 February, in the year eighteen hundred and sixty-five.

[Signed,]

ROBERT MORAN,  
THOMAS Y. CANBY,  
W. WHITELOCK,  
PHILIP S. CHAPPELL,  
AARON B. PATTERSON."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of January, eighteen hundred and eighty-five, 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 Wheeling, this eleventh day of February, eighteen hundred and sixty-five.

J. EDGAR BOYERS,  
*Secretary of the State.*

SEAL.

## THE NORTH FORK OF HUGHES RIVER OIL AND MINING COMPANY.

I, J. Edgar Boyers, secretary 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 Fork of Hughes River Oil and Mining Company,' under the law of the state of West Virginia, approved October twenty-sixth, A. D. eighteen hundred and sixty-three, and the supplement thereto, for the purpose of purchasing and leasing lands in Ritchie county, and elsewhere in the state of West Virginia, and of boring, excavating and mining the same, to procure petroleum, rock or carbon oils, coal and other minerals, and to refine, sell, trade or deal in the same, and generally to do and perform all matters and things necessary or desirable in carrying on such business. The said corporation shall keep its principal office or place of business in the city of Philadelphia, in the state of Pennsylvania. And 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 forty thousand dollars, and desire that the said sum of five hundred thousand dollars shall be all the capital of said corporation. The capital so subscribed is divided into one hundred thousand shares of five dollars each, which are held by the undersigned respectively as follows: that is to say, by William M. Reilly, twenty thousand (20,000) shares; John Swindon, fifteen thousand (15,000) shares; Eliab Ward, M. D., fifteen thousand (15,000) shares; Nicholas Balliet, fifteen thousand (15,000) shares; Stephen Benton, fifteen thousand (15,000) shares, C. E. Thompson, fifteen thousand (15,000) shares, Jonathan Powell, twenty-five hundred (2500) shares; E. J. Kenney, twenty-five hundred (2500) shares; all residents of the city of Philadelphia, in the state of Pennsylvania.

"Given under our hands, this ninth day of February, Anno Domini, one thousand eight hundred and sixty-five. (A. D. 1865.)

[Signed, with seals,]

WILLIAM M. REILLY,  
JOHN SWINDON,  
ELIAB WARD,  
N. BALLIET,  
STEPHEN BENTON,  
C. E. THOMPSON,  
JONATHAN POWELL,  
per C. E. THOMPSON,  
E. J. KENNEY."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the eleventh day of February, eighteen hundred and eighty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my band and the great seal of the said state, at Wheeling, this eleventh day of February, eighteen hundred and sixty-five.

J. EDGAR BOYERS,  
*Secretary of the State.*

SEAL

#### THE WIRT OIL COMPANY.

I, J. Edgar Boyers, secretary 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 Wirt Oil Company,' of West Virginia, for the purpose of buying and leasing oil territory, for boring, excavating and mining for petroleum, rock oil or carbon oil, and buying and selling the same; which corporation shall keep its principal office or place of business at Burning Springs, in the county of Wirt, and is to expire on the eleventh day of February, A. D., eighteen hundred and eighty-five. (1885.) 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 subscription the sum of one hundred 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 James Perry, of the city of Philadelphia and state of Pennsylvania, twenty thou-

sand shares ; by Thomas B. Lerick, of said city, twenty thousand shares ; by Henry G. Fisher, of said city, twenty thousand shares ; by William H. Richards, of said city, twenty thousand shares ; by Henry M. Kimmey, of said city, twenty thousand shares.

Given under our hands, this eleventh day of February, eighteen hundred and sixty-five.

[Signed,]

WM. H. RICHARDS,  
JAMES PERRY,  
HENRY G. FISHER,  
H. M. KIMMEY,  
THOS. B. LERICK."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the eleventh day of February, eighteen hundred and eighty-five, 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 Wheeling, this fifteenth day of February, eighteen hundred and sixty-five.

J. EDGAR BOYERS,  
*Secretary of the State.*

SEAL.

#### PEOPLE'S TELEGRAPH COMPANY.

I, J. Edgar Boyers, secretary 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 'People's Telegraph Company of the State of West Virginia,' for the purpose of constructing, erecting and working a magnetic telegraph from the city of Parkersburg to the city of Wheeling, and from thence to the state line, in the direction of the city of Pittsburgh, in the state of Pennsylvania ; and to erect branch lines at such points as may hereafter be deemed expedient ; and for the purpose of carrying on the telegraph business in all its branches ; which corporation shall keep its principal office in the city of Philadelphia, state of Pennsylvania, and is to expire on the third day of January, A. D., one thousand eight hundred and eighty-five (1885). And for the purpose of forming the said corporation, we have subscribed the sum of ten thousand dollars (\$10,000) to the capital thereof, and have paid in on the said subscriptions the sum of one thousand dollars (\$1,000), 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 ten dollars (\$10) each, which are held by the undersigned, as follows, that is to say : by J. Henry Tingley, two hundred (200) shares ; George T. Bethell, two hundred (200) shares ; J. C. Scott, jr., two hundred (200) shares ; Arthur W. Scott, two hundred (200) shares ; Charles L. Scott, one hundred (100) shares ; John T. Hoffman, one hundred (100) shares, all of the city of Philadelphia and state of Pennsylvania ; and the capital to be hereafter sold to be divided into shares of like amount.

"Given under our hands and seals this third day of January, A. D., eighteen hundred and sixty-five.

[Signed, with seals,]

J. HENRY TINGLEY,  
GEO. T. BETHELL,  
CHAS. L. SCOTT,  
ARTHUR W. SCOTT,  
JNO. C. SCOTT, JR.,  
JOHN T. HOFFMAN."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the third day of January, eighteen hundred and eighty-five, 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 Wheeling, this twenty-second day of February, eighteen hundred and sixty-five.

J. EDGAR BOYERS,  
*Secretary of the State.*

SEAL.

#### LITTLE KANAWHA AND SPRING CREEK OIL COMPANY.

I, J. Edgar Boyers, secretary 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 following words and figures:

"The undersigned agree to become a corporation by the name of the 'Little Kanawha and Spring Creek Oil Company,' for the purpose of boring for petroleum or rock oil; mining for coal and other minerals, and manufacturing lumber on such lands as may be held by them, and for the sale of the same when produced or manufactured; 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 February, Anno Domini, one thousand eight hundred and eight-five. [1885.] And for the purpose of forming said corporation, we have subscribed the sum of two hundred and fifty thousand (\$250,000,) dollars to the capital thereof, and have paid in on said subscriptions the sum of thirty-two thousand dollars, and desire the privilege of increasing said capital by sales of additional shares from time to time, to one million 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, Joseph N. Ruch, city of Philadelphia, ten thousand (10,000) shares, Ferdinand Doebley, city of Philadelphia, ten thousand (10,000) shares; Thomas J. Martin, city of Philadelphia, ten thousand (10,000) shares; Lewis C. Stockton, city of Philadelphia, one thousand (1,000) shares; Edwin Martin, M. D., city of Philadelphia, one thousand (1,000) shares; and the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands, this fifteenth day of February, Anno Domini, eighteen hundred and sixty-five. (1865.)

[Signed,]

J. N. RUCH,  
THOMAS J. MARTIN,  
EDWIN MARTIN, M. D.,  
LEWIS C. STOCKTON,  
FERDINAND DOEBLEY."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the fifteenth day of February, eighteen hundred and eighty-five, 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 Wheeling, this twenty-second day of February, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

### GOOD HOPE OIL AND MINING COMPANY.

I, J. Edgar Boyers, secretary 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 following words and figures:

"The undersigned agree to become a corporation by the name of the 'Good Hope Oil and Mining Company,' for the purpose of buying and leasing oil territory in the state of West Virginia, for boring, mining and excavating for petroleum, rock or carbon oils, and for buying and selling the same; which corporation shall keep its principal office in the city of Philadelphia, in the state of Pennsylvania, and is to expire on the twentieth day of February, A. D. eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of ten thousand (\$10,000) dollars to the capital stock thereof, and have paid in on the said subscriptions the sum of one thousand (\$1,000) dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to one hundred and forty thousand (\$140,000) dollars in all. The capital so subscribed is divided into shares of one dollar each, which are held by the undersigned as follows: that is to say, by James G. McQuaide, two thousand (2,000) shares; Samuel C. Bunting, jr., two thousand (2,000) shares; Charles B. Miller, two thousand (2,000) shares; all of the city of Philadelphia and state of Pennsylvania; and by R. A. Young, two thousand (2,000) shares; and J. L. Swydam, two thousand (2,000) shares; both of Chester county, Pennsylvania aforesaid. And the capital to be hereafter sold to be divided into shares of like amount.

"Given under our hands and seals, this twentieth day of February, A. D., one thousand eight hundred and sixty-five. (1865.)

[Signed, with seals,]

JAMES G. MCQUAIDE,  
SAMUEL C. BUNTING, JR.,  
CHARLES P. MILLER,  
R. A. YOUNG,  
J. L. SWYDAM."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twentieth day of February, eighteen hundred and eighty-five, 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 Wheeling, this twenty-third day of February, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

## THE LICK RUN OIL COMPANY.

I, J. Edgar Boyers, secretary 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 following words and figures:

"The undersigned agree to become a corporation by the name of 'The Lick Run Oil Company,' of the state of West Virginia, for the purpose of purchasing and leasing oil territory in the state of West Virginia; for boring, excavating and mining for petroleum, rock or carbon oils, and buying and selling the same; which corporation shall keep its principal office or place of business in the city of Philadelphia, in the state of Pennsylvania, and is to expire on the twentieth day of February, A. D., one thousand eight hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of five thousand (\$5,000) dollars to the capital thereof, and have paid in on said subscriptions the sum of five hundred (\$500) dollars, and desire the privilege of increasing the said capital by sales 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 two (\$2.00) dollars each, which are held by the undersigned respectively, as follows, that is to say: Samuel Morgan, five hundred (500) shares; Isaac Mayer, five hundred (500) shares; Cornelius B. Sellers, five hundred (500) shares; Joshua Morgan, five hundred (500) shares; David M. Swarr, five hundred (500) shares, all of which subscribers are residents of the city of Philadelphia, in the state of Pennsylvania. And the capital to be hereafter sold is to be divided into shares of the like amount.

"Given under our hands and seals this twentieth day of February, in the year of our Lord one thousand eight hundred and sixty-five (1865.)

[Signed, with seals,]

SAMUEL MORGAN,  
ISAAC MAYER,  
CORNS. B. SELLERS,  
JOSHUA MORGAN,  
D. M. SWARR."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the twentieth day of February, eighteen hundred and eighty-five, 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 Wheeling, this twenty-third day of February, eighteen hundred and sixty-five:

J. EDGAR BOYERS,  
*Secretary of the State.*

SEAL.

## THE BIG SANDY CREEK OIL COMPANY.

I, J. Edgar Boyers, secretary 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 following words and figures:

"The undersigned agree to become a corporation by the name of 'The Big Sandy Creek Oil Company,' of the state of West Virginia, for the pur-

pose of purchasing and leasing oil territory in the state of West Virginia; for boring, excavating and mining for petroleum, rock or carbon oils, and buying and selling the same; which corporation shall keep its principal office or place of business in the city of Philadelphia, in the state of Pennsylvania, and is to expire on the twenty-first day of February, A. D., one thousand eight hundred and eighty-five, (1885.) And for the purpose of forming said corporation we have subscribed the sum of ten thousand (\$10,000) 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 capital by sales of additional shares from time to time, to two hundred thousand (\$200,000) dollars in all. The capital so subscribed is divided into shares of one dollar and twenty-five cents (\$1.25) each, which are held by the undersigned respectively as follows: that is to say, Patrick Brady, sixteen hundred (1,600) shares; Charles G. King, sixteen hundred (1,600) shares; John S. Hoffman, sixteen hundred (1,600) shares; H. W. Ridgeway, sixteen hundred (1,600) shares; P. Fred. Goddard, sixteen hundred (1,600) shares; all of which subscribers are residents of the city of Philadelphia, in the state of Pennsylvania. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands and seals, this twenty-first day of February, in the year of our Lord, one thousand eight hundred and sixty-five. (1865.)

[Signed, with seals,]

P. BRADY,  
CHARLES G. KING,  
JOHN S. HOFFMAN,  
H. W. RIDGEWAY,  
P. FREDERICK GODDARD.

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-first day of February, eighteen hundred and eighty-five, 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 Wheeling, this twenty-third day of February, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

#### THE BURNING SPRING AND GOOSE CREEK OIL COMPANY.

I, J. Edgar Boyers, secretary 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 following words and figures:

“The undersigned agree to become a corporation by the name of ‘The Burning Spring and Goose Creek Oil Company,’ for the purpose of boring for and producing petroleum oil, salt, coal and other products, in the counties of Wirt, Wood and Ritchie, in the state of West Virginia, and for the further purpose of refining and manufacturing the said oil, coal and other minerals and products into the various articles and materials it may be deemed expedient and advisable; and to sell, dispose of, and transport the same; which corporation may keep its principal office, or place of business in the city of Philadelphia, in the state of Pennsylvania, and is to expire on the tenth day

of February, A. D. one thousand eight hundred and eighty-five. (1885.) And for the purpose of forming the said corporation, we have subscribed the sum of twenty thousand dollars, and have in good faith paid in on said subscription to the person who has been agreed upon to receive the same, for the intended corporation, at least ten per cent of the par value of the whole capital stock asked for, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to one hundred and twenty-five 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, Lewis Rothermel, of the city of Philadelphia, six thousand shares; Frederick Leibrand, of the city of Philadelphia, three thousand shares; William L. McDonnell, of the city of Philadelphia, three thousand shares; Charles Blakirton, of the city of Philadelphia, three thousand shares; William H. Schall, of the city of Philadelphia, three thousand shares; William F. Dean, of the city of Philadelphia, two thousand shares; and the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this tenth day of February, A. D. one thousand eight hundred and sixty-five.

[Signed,]

LEWIS ROTHERMEL,  
FRED. LEIBRAND,  
L. McDONNELL,  
CHARLES BLAKIRTON,  
WM. H. SCHALL,  
WM. F. DEAN.'

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the tenth day of February, eighteen hundred and eighty-five, 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 Wheeling, this twenty-third day of February, eighteen hundred and sixty-five.

J. EDGAR BOYERS,  
*Secretary of the State.*

SEAL.

#### THE ELIZABETH OIL COMPANY.

I, J. Edgar Boyers, secretary 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 under the law of the state of West Virginia, passed October twenty-sixth, eighteen hundred and sixty-three, and the supplement thereto, by the name, style and title of 'The Elizabeth Oil Company,' of West Virginia, for the purpose of mining, excavating, pumping, or by other means obtaining oils, gas, coal, and other minerals, in Wirt county and elsewhere, in the state of West Virginia, and to buy and lease lands for and by the corporation to others for a like object, and also to buy, sell, trade and deal in oils, and to store and transport the same; and to refine or cause the same to be refined, and generally to do and perform all matters and things necessary or desirable in carrying on such business in oil or oil works, and coal or other minerals, as well as to erect or own

machinery, tanks or other works for refining oil or otherwise. The said corporation shall keep its principal office or place of business in the city of Philadelphia, and is to expire on the twenty-fifth day of February, Anno Domini, one thousand eight hundred and eighty-five. (1885.) And for the purpose of forming said corporation we have subscribed the sum of seventeen thousand five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of seventeen thousand five hundred 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 one dollar each, which are held by the undersigned respectively, as follows, that is to say: by Paul J. Field, thirty-five hundred (3,500) shares, Daniel Dougherty, thirty-five hundred (3,500) shares; C. E. Kamerly, M. D., thirty-five hundred (3,500) shares; Andrew Brodie, thirty-five hundred (3,500) shares; Frederick Taylor, thirty-five hundred (3,500) shares.

Given under our hands and seals at Philadelphia, we being all residents of said city, this twenty-fifth day of February, Anno Domini, one thousand eight hundred and sixty-five. (1865.)

[Signed with seals,]

PAUL J. FIELD,  
DANIEL DOUGHERTY,  
C. E. KAMERLY, M. D.,  
ANDREW BRODIE,  
FREDERICK TAYLOR."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the twenty-fifth day of February, A. D. eighteen hundred and eighty-five, 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 Wheeling, this twenty-seventh day of February, A. D. one thousand eight hundred and sixty-five. (1865.)

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

#### THE FERGUSON OIL COMPANY.

I, J. Edgar Boyers, secretary 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 Ferguson Oil Company,' under the law of the state of West Virginia, approved October twenty-sixth, eighteen hundred and sixty-three, and the supplement thereto, for the purpose of purchasing and leasing lands in Wirt county, West Virginia, and elsewhere; and of boring, excavating and mining the same to procure petroleum, rock or carbon oils, coal and other minerals, and to refine, sell, trade or deal in the same, and, generally, to do and perform all matters and things necessary or desirable in carrying on such business. The said corporation shall keep its principal office or place of business in the city of Philadelphia, in the state of Pennsylvania, and for the purpose



of forming 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 two hundred thousand dollars, and desire that the said sum of five hundred thousand dollars shall be all the capital of said corporation. The capital so subscribed is divided into one hundred thousand shares of five dollars each, and are held by the undersigned respectively, as follows, that is to say: John W. Moffly, twenty thousand (20,000) shares; Joseph P. Brosius, twenty thousand (20,000) shares; Samuel Conrad, twenty thousand (20,000) shares; Casper L. Rehn, twenty thousand (20,000) shares; Amos J. Michenor, twenty thousand (20,000) shares; all residents of the state of Pennsylvania.

Given under our hands and seals this twenty-fourth day of February, Anno Domini, one thousand eight hundred and sixty-five (A. D. 1865.)

[Signed, with seals,]

JOHN MOFFLY,  
JOS. P. BROSIUS,  
SAMUEL CONRAD,  
AMOS J. MICHENOR,  
CASPER L. REHN.''

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-seventh day of February, eighteen hundred and eighty-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, at Wheeling, this twenty-seventh day of February, eighteen hundred and sixty-five.

J. EDGAR BOYERS,  
*Secretary of the State.*

SEAL.

#### THE STANDING STONE OIL COMPANY.

I, J. Edgar Boyers, secretary 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 Standing Stone Oil Company,' of West Virginia, for the purpose of mining, excavating and boring for petroleum, coal, rock or carbon oil, or other valuable minerals, or volatile substances; and to sell and convey the products to market; which corporation shall keep its principal office or place of business at 'Standing Stone,' in the county of Wirt, and is to expire on the twentieth day of February, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of four hundred thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of forty thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to two 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 Aaron Van Camp, of Washington City, D. C., one thousand shares; George W. Riggs, of the city of Washington, D. C., five hundred shares; Mrs. William T. Carroll, of the District of Columbia, two hundred shares; Thomas S. Mercer, of the District of Columbia, two hundred

shares; Lyman Trumbull, of Chicago, Illinois, one hundred and sixty shares; James B. Montgomery, of Pennsylvania, five hundred shares; Hamilton G. Fant, of the District of Columbia, eight hundred shares; William L. Hodge, of the District of Columbia, eight hundred shares; William H. Clayett, trustee, of the District of Columbia, four hundred shares; John L. Dauson, of Pennsylvania, seven hundred and fifty shares; James K. Morehead, of Pittsburg, Pennsylvania, seven hundred and fifty shares; John S. Carlile, of Clarksburg, West Virginia, nineteen hundred and forty shares; and the capital to be hereafter sold is to be divided into shares of the like amount.

"Given under our hands, this, twentieth day of February, eighteen hundred and sixty-five.

[Signed,]

A. VAN CAMP,  
 GEORGE W. RIGGS,  
 MRS. W. T. CARROLL,  
per T. S. Mercer, attorney.  
 THOS. S. MERCER,  
 LYMAN TRUMBULL,  
 JAS. B. MONTGOMERY,  
 HAMILTON G. FANT,  
 WM. L. DODGE,  
 JOHN L. DAUSON,  
 J. K. MOREHEAD,  
 JNO. S. CARLILE,  
 WM. H. CLAYETT,  
 Trustee."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the twentieth day of February, eighteen hundred and eighty-five, a corporation by the name and for the purposes named in the said agreement.

Given under my hand and the great seal of the said state, at Wheeling, on the second day of March, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

#### WHEELING PETROLEUM AND MINING COMPANY.

I, J. Edgar Boyers, secretary 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 Petroleum and Mining Company,' for the purpose of procuring property in the county of Ohio, state of West Virginia, and elsewhere; and upon said property to bore, mine or excavate for coal, salt, coal, rock, carbon or petroleum oils, or any other minerals or mineral substances or fluids; which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, and it is to expire on the first day of March, Anno Domini, eighteen hundred and eighty-five. 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 sales 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. Logan, twenty shares; by James M. Dillon, twenty shares; by John E. Wilson, twenty shares; by Alexander Laughlin, ten shares; by George K. Wheat, thirty shares; by Samuel B. Bushfield, ten shares; by Samuel Laughlin, ten shares; by John R. Hubbard, five shares; by Joseph Seybold, ten shares; by Henry K. List, twenty shares; by Archibald W. Campbell, ten shares; by John F. McDermot, ten shares; by Samuel Irwin, ten shares, and by John List, fifteen shares; all of which persons above named are residents of the city of Wheeling; 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 March, eighteen hundred and sixty-five.

[Signed,]

THOMAS H. LOGAN,  
 JAMES M. DILLON,  
 JOHN E. WILSON,  
 ALEXANDER LAUGHLIN,  
 GEORGE K. WHEAT,  
 SAMUEL B. BUSHFIELD,  
 SAMUEL LAUGHLIN,  
 JNO. R. HUBBARD,  
 SAMUEL IRWIN,  
 HENRY K. LIST,  
 ARCHIBALD W. CAMPBELL,  
 JOHN F. McDERMOT,  
 JOSEPH SEYBOLD,  
 JOHN LIST."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of March, eighteen hundred and eighty-five, 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 Wheeling, this second day of March, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

#### GOOSE CREEK OIL COMPANY.

I, J. Edgmr Boyers, secretary 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 Goose Creek Oil Company,' for the purpose of exploring for, finding and procuring, by mining and otherwise, oil, naptha, petroleum and such like substances, and other substances from which oil, naptha, petroleum and such like materials, elements, are or may be extracted, obtained or made, and of purchasing, making, manufacturing and refining oil, and the business it intends to carry on is the business of procuring and disposing of oil, naptha, &c., before mentioned, and of manufacturing and refining oil and dealing in the same, and in lands from which to procure the same, and the materials and substances before mentioned, and generally to do and carry on everything

usual with or incident to such purposes and business as is above mentioned; which corporation shall keep its principal office or place of business, at Wheeling, in Ohio county, in the state of West Virginia, and is to expire on the first day of March, in the year of our Lord eighteen hundred and eighty-five. And for the purpose of forming said corporation we have subscribed the sum of thirty-thousand dollars to the capital thereof, and have paid in the whole of it, and desire the privilege of increasing said capital by sales 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 Chester D. Knox, of Wheeling, seventy-five shares; by Samuel McClellan, of Wheeling, seventy-five shares; by Thomas Hughes, of Wheeling, one hundred and fifty shares; by Mrs. Mary C. Leech, of Wheeling, seventy-five shares; by Alexander C. Quarrier, of Wheeling, seventy-five shares; by Orville C. Dewey, of Wheeling, seventy-five shares; and by William E. Trull, of Wheeling, seventy-five 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 March, eighteen hundred and sixty-five.

[Signed,]

CHESTER D. KNOX,  
S. MCCLELLAN,  
THOS. HUGHES,  
M. C. LEECH,  
A. C. QUARRIER,  
WM. E. TRULL,  
O. C. DEWEY,

Wherefore, the corporators named in the said agreement and who have signed the same, are hereby declared to be from this date until the first day of March, eighteen hundred and eighty-five, 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 Wheeling, this third day of March, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

#### BALTIMORE AND DUNKARD OIL COMPANY.

I, J. Edgar Boyers, secretary 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 'Baltimore and Dunkard Oil Company,' for the purpose of mining for petroleum, oil, coal, salt, iron and other minerals, and the further purpose of carrying on manufactures and other lawful operations in, about and connected with the same, and the realization of the profits thereof; which corporation shall keep its principal office or place of business on the property near New Brownsville, in the county of Monongalia, West Virginia, and is to expire on the first day of February, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of forty-seven

thousand five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of four thousand seven hundred and fifty dollars, and desire the privilege of increasing the said capital by sales 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 five dollars each, which are held by the undersigned, all of the city of Baltimore, state of Maryland, respectively, as follows: that is to say, by Charles W. Lord, five hundred shares; by Benjamin F. Ruff, four thousand shares; by George T. Coulter, two thousand shares; by John C. Grafflin, two thousand shares; by George W. Grafflin, two thousand shares. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this twentieth day of February, eighteen hundred and sixty-five.

[Signed,]

CHAS. W. LORD,  
B. F. RUFF,  
JOHN C. GRAFFLIN,  
GEO. W. GRAFFLIN,  
GEO. T. COULTER."

Wherefore, the corporators named in the said agreement, and who have signed the same, are declared to be from this date until the first day of February, eighteen hundred and eighty-five, 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 Wheeling, this the third day of March, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

#### DOLL'S RUN AND DUNKARD CREEK PETROLEUM COMPANY.

I, J. Edgar Boyers, Secretary 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 'Doll's Run and Dunkard Creek Petroleum Company,' for the purpose of mining for petroleum, oil, coal, salt, iron and other minerals, and for the further purpose of carrying on manufactures and other lawful operations in and about and connected with the same, and the realization of the profits thereof, and of a tannery and other operations connected therewith; which corporation shall keep its principal office or place of business at New Brownsville, in the county of Monongalia, West Virginia, and is to expire on the first day of February, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of seventy thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of seven thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to three hundred 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, all of the city of Baltimore, state of Maryland, that is to say: by Charles W. Lord,

four thousand shares; by Edward K. Cooper, two thousand shares; by George T. Coulter, four thousand shares; by Benjamin F. Ruff, two thousand shares; by John C. Grafflin, two thousand shares; and the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twentieth day of February, eighteen hundred and sixty-five.

[Signed,]

CHAS. W. LORD,  
E. K. COOPER,  
B. F. RUFF,  
JOHN C. GRAFFLIN,  
GEO. T. COULTER."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of February, eighteen hundred and eighty-five, 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 Wheeling, this third day of March, eighteen hundred and sixty-five.

SEAL.

J. EDGAR BOYERS,  
*Secretary of the State.*

#### CHEAT RIVER OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 River Oil and Mining Company,' for the purpose of developing the minerals in two thousand acres of land situate and lying on the east side of the Cheat river, in Monongalia county, state of West Virginia, (being part of the same land patented by the commonwealth of Virginia to Thomas P. Ray, on the thirtieth day of October, Anno Domini, eighteen hundred and thirty-seven) by mining and boring the same, in order to procure and obtain minerals and carbon oils, and to manufacture, refine, convey to market and sell the products thereof, and for such other purposes as shall be necessary, and also of enjoying all the rights and privileges conferred by the act of the legislature of the said state of West Virginia, passed the twenty-sixth day of October, Anno Domini, eighteen hundred and sixty-three, and the supplement thereto; which corporation shall keep its principal office or place of business at Morgantown, Monongalia county, West Virginia, and is to expire on the fourth day of March, eighteen hundred and eighty-five. And for the purpose of forming the said corporation we have subscribed the sum of three hundred and eighteen thousand seven hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of thirty-one thousand eight hundred and seventy-five dollars, and desire the privilege of increasing the said capital by sales 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 undersigned, respectively, as follows: that is to say, by William H. Elliott, of Odessa, state of Delaware, eighteen thousand seven hundred and fifty shares; John F. Bird, of Philadelphia, in

the state of Pennsylvania, seven thousand five hundred shares; William G. Spencer, of Philadelphia, aforesaid, seven thousand five hundred shares; John Appleton, of Odessa, aforesaid, seven thousand five hundred shares; William Polk, of Odessa, aforesaid, seven thousand five hundred shares; Edward C. Fennimore, of Odessa, aforesaid, three thousand seven hundred and fifty shares; and James C. Matthews, of Odessa, aforesaid, eleven thousand two hundred and fifty shares; and the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this first day of March, Anno Domini, eighteen hundred and sixty-five. (1865.)

[Signed,]

WILLIAM H. ELLIOTT,  
JOHN F. BIRD,  
W. G. SPENCER,  
JOHN APPLETON,  
WM. POLK,  
EDWARD C. FENNIMORE,  
J. C. MATTHEWS.'

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of March, eighteen hundred and eighty-five, 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 Wheeling, this fourth day of March, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### WILMINGTON PETROLEUM COMPANY.

I, Granville D. Hall, secretary 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 'Wilmington Petroleum Company,' for the purpose of mining for petroleum or rock oil, coal and other minerals, and preparing the same for market; which corporation shall keep its principal office or place of business at Oatville, near Petroleum, in the county of Ritchie, and is to expire on the twenty-fourth day of February, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of two hundred and forty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty-four thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to four hundred and eighty 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: John W. Everman, Philadelphia, Pennsylvania, three thousand shares; Philip Garrett, Wilmington, Delaware, six thousand shares; William Tatnall, Wilmington, Delaware, three thousand shares; Joseph Tatnall, Wilmington, Delaware, three thousand shares; George Richardson, Wilmington, Delaware, two thousand shares; David F. Craige, Wilmington, Delaware, three thousand shares; Ephraim W. South,

Wilmington, Delaware, three thousand shares, Ziba Ferris, jr., Wilmington, Delaware, one thousand shares; and the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands and seals this twenty-seventh day of February, eighteen hundred and sixty-five.

[Signed, with seals,]

JOHN W. EVERMAN,  
PHILIP GARRETT,  
WILLIAM TATNALL,  
JOSEPH TATNALL,  
GEORGE RICHARDSON,  
DAVID F. CRAIGE,  
EPHRAIM W. SOUTH,  
ZIBA FERRIS, JR."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-fourth day of February, eighteen hundred and eighty-five, 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 Wheeling, this fourth day of March, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

#### GOVERNMENT OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 'Government Oil and Mining Company,' under the law of the state of West Virginia, approved October twenty-sixth, A. D., eighteen hundred and sixty-three, and the supplement thereto, for the purpose of purchasing and leasing lands in Kanawha and Wirt counties, West Virginia, and elsewhere, and of boring, excavating and mining the same to procure petroleum, rock or carbon oils, coal and other minerals, and to refine, sell, trade or deal in the same, and generally to do and perform all matters and things necessary or desirable in carrying on such business. The said corporation shall keep its principal office or place of business in the city of Philadelphia, in the state of Pennsylvania, and for the purpose of forming said corporation, we have subscribed the sum of one hundred and twenty-five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred and twenty-five thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to two hundred thousand dollars in all. The capital so subscribed is divided into two hundred thousand shares of one dollar each, and are held by the undersigned, respectively, as follows, that is to say: Henry Simons, forty thousand (40,000) shares; William H. Weeks, forty thousand (40,000) shares; J. L. Willoughby, forty thousand (40,000) shares; A. Weeks, M. D., forty thousand (40,000) shares; J. Percy Dix, forty thousand (40,000) shares; all residents of the state of Pennsylvania.



Given under our hands and seals, this first day of March, Anno Domini, one thousand eight hundred and sixty-five (A. D., 1865.)

[Signed, with seals,]

HENRY SIMMONS,  
WM. H. WEEKS,  
J. L. WILLOUGHBY,  
A. WEEKS, M. D.,  
J. PERCY DIN."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the sixth day of March, eighteen hundred and eighty-five, 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 Wheeling, this sixth day of March, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

### THE VULCAN OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 Vulcan Oil and Mining Company,' under the law of the state of West Virginia, approved October twenty-sixth, A. D. eighteen hundred and sixty-three, and the supplement thereto, for the purpose of purchasing and leasing lands in Wirt and Fayette counties, West Virginia, and elsewhere; and of boring, excavating and mining the same to procure petroleum, rock or carbon oils, coal and other minerals, and to refine, sell, trade or deal in the same, and generally to do and perform all matters and things necessary or desirable in carrying on such business. The said corporation shall keep its principal office or place of business at Philadelphia, state of Pennsylvania. And for the purpose of forming said corporation, we have subscribed the sum of one hundred and twenty-five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred and twenty-five thousand dollars, and desire the privilege of increasing the said capital by sales 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, and are held by the undersigned, respectively, as follows, that is to say: Henry Simmons, forty thousand (40,000) shares; William H. Weeks, forty thousand (40,000) shares; J. L. Willoughby, forty thousand (40,000) shares; A. Weeks, M. D., forty thousand (40,000) shares; E. B. Cox, forty thousand (40,000) shares; all residents of the state of Pennsylvania.

Given under our hands and seals, this second day of March, Anno Domini, eighteen hundred and sixty-five. (A. D. 1865.)

[Signed, with seals,]

HENRY SIMMONS,  
WM. H. WEEKS,  
J. L. WILLOUGHBY,  
A. WEEKS, M. D.,  
E. B. COX."

Wherefore, the corporators named in the said agrèment, and who have signed the same, are hereby declared to be from this date until the sixth day of March, eighteen hundred and eighty-five, 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 Wheeling, this sixth day of March, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### DEEM FARM PETROLEUM COMPANY.

I, Granville D. Hall, secretary 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 'Deem Farm Petroleum Company,' for the purpose of producing and manufacturing, in Wood and Roane counties, in the state of West Virginia, petroleum and all products of the same; and for the purpose of manufacturing any articles that may be necessary to its production, retention, transportation or sale, and for such other purpose as shall be necessary; which corporation shall keep its principal office or place of business in the city of Philadelphia, in the state of Pennsylvania, and is to expire on the ninth day of March, one thousand eight hundred and eighty-five, (1885.) And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and fifty thousand dollars to the capital thereof, and have paid in on said subscription the sum of fifteen thousand dollars. 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 James C. Thompson, Philadelphia, Pa., ten thousand shares; William S. Halsey, M. D., Philadelphia, Pa., ten thousand shares; Aaron S. Lippincott, Philadelphia, Pa., nine thousand six hundred shares; Nathan Hilles, Philadelphia, Pa., two hundred shares; Thomas Milnor, Philadelphia, Pa., two hundred 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 March, A. D., one thousand eight hundred and sixty-five (1865.)

[Signed,]

JAMES C. THOMPSON,  
NATHAN HILLES,  
WM. S. HALSEY,  
THOS. MILNOR,  
A. S. LIPPINCOTT."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the ninth day of March, eighteen hundred and eighty-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, at Wheeling, this thirteenth day of March, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## YELLOW CREEK PIONEER OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 'Yellow Creek Pioneer Oil and Mining Company,' for the purpose of boring for oil and salt water, and preparing the same for market, prospecting for coal, mining the same, and of mining other minerals and preparing the same for market; 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 the first day of January, in the year of our Lord, one thousand eight hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of forty-eight thousand dollars to the capital, and have paid in on said subscriptions the sum of four thousand eight hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to two hundred and fifty thousand dollars. The capital so subscribed is held, respectively, as follows, that is to say: three thousand shares at the par value of one dollar per share, by Gillis M. Doty, of Blacklick township, Indiana county, Pennsylvania, and a like three thousand shares by each of the following persons: Geo. J. Krebs, Joseph H. Campbell, Henry Richard, David R. Fomer, Thomas Moritz, Henry Snellbaugh, Henry Hink, Emil Hink, William Oetling, Christopher Richmond, Henry P. Krebs, Lewis Roseman, Michael Shoomen, of the city of Pittsburgh; Michael Krebs, six thousand shares, of Allegheny county. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands, this twenty-fifth day of February, eighteen hundred and sixty-five.

[Signed,]

J. H. CAMPBELL,  
DAVID R. FOMER,  
HENRY HENK,  
EMIL HENK,  
THOMAS MORITZ,  
HENRY SCHNELLBAUCH,  
HENRY RICHARD,  
MICHAEL SHOOMEN,  
MICHAEL KREBS,  
LEWIS ROSEMUND,  
GILLIS M. DOTY,  
JOHN. G. KREBS,  
WM. OETLING,  
C. RICHMOND,  
H. P. KREBS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of January, eighteen hundred and eighty-five, 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 Wheeling, this thirteenth day of March, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## THE OIL BREAK PETROLEUM COMPANY.

I, Granville D. Hall, secretary 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 following words and figures:

"The undersigned agree to become a corporation under the name of 'The Oil Break Petroleum Company,' of West Virginia, for the purpose of producing and manufacturing, in Kanawha county, West Virginia, petroleum oil and all its products; and for the further purpose of manufacturing any articles that may be necessary to its production, retention, transportation or sale, and for such other purposes as shall be necessary; which corporation shall keep its office at Philadelphia, Pennsylvania, and is to expire on the eighteenth day of March, A. D., eighteen hundred and eighty-five. And for the further 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 subscription the sum of two hundred thousand dollars. The capital so subscribed is divided into shares of two dollars and fifty cents each, which are held by the undersigned, respectively, as follows, to-wit: D. O. Saylor, of Allentown, Pennsylvania, ninety-three thousand three hundred and thirty-three and one-third shares; John Riegel, Philadelphia, Pennsylvania, thirty-three thousand three hundred and thirty-three and one-third shares; Charles Fronefield, of Philadelphia, Pennsylvania, six thousand six hundred and sixty-six and two-third shares; Tho. Hall Foreman, Philadelphia, Pennsylvania, six thousand six hundred and sixty-six and two-third shares; J. R. Seltzer, Philadelphia, Pennsylvania, thirteen thousand three hundred and thirty-three and one-third shares; W. W. Keys, Philadelphia, Pennsylvania, six thousand six hundred and sixty-six and two-third shares; J. A. Solliday, Philadelphia, Pennsylvania, thirteen thousand three hundred and thirty-three and one-third shares; A. H. Fuller, Philadelphia, Pennsylvania, twenty-six thousand six hundred and sixty-six and two-third shares. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands, this fourteenth day of March, Anno Domini, eighteen hundred and sixty-five.

[Signed,]

D. O. SAYLOR,  
JOHN RIEGEL,  
CHAS. FRONEFIELD,  
THO. HALL FOREMAN,  
J. R. SELTZER,  
W. W. KEYS,  
J. SOLLIDAY,  
A. H. FULLER."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the eighteenth day of March, eighteen hundred and eighty-five, 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 Wheeling, this eighteenth day of March, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## THE EVERMAN PETROLEUM COMPANY.

I, Granville D. Hall, secretary 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 Everman Petroleum Company,' for the purpose of mining for petroleum or rock oil, coal and other minerals, in Wirt county, state of West Virginia, and preparing same for market; which corporation shall keep its principal office or place of business at Oatville, near Petroleum, in the county of Ritchie, and is to expire on the thirteenth day of March, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and forty thousand dollars, and have paid in on said subscriptions the sum of fourteen thousand dollars, and desire the privilege of increasing the said capital by sales 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 five dollars each, which are held by the undersigned, respectively, as follows: William Tatnall, four thousand shares; Joseph Tatnall, four thousand shares; David F. Craige, four thousand shares; Philip Garrett, four thousand shares; William Ferris, four thousand shares; George Richardson, four thousand shares; John W. Everman, four thousand shares. 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 March, A. D., eighteen hundred and sixty-five.

[Signed with seals,]

WILLIAM TATNALL,  
JOSEPH TATNALL,  
DAVID F. CRAIGE,  
PHILIP GARRETT,  
GEORGE RICHARDSON,  
JOHN W. EVERMAN."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the thirteenth day of March, eighteen hundred and eighty-five, 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 Wheeling, this eighteenth day of March, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## THE POND CREEK OIL COMPANY.

I, Granville D. Hall, secretary 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 following words and figures:

"The undersigned agree to become a corporation by the name of 'The Pond Creek Oil Company,' of West Virginia, for the purpose of boring for

oil and mining for any minerals, and for sale of the same; which corporation shall keep its principal office or place of business at Baltimore, in the county of Baltimore, state of Maryland, and is to expire on the eighteenth day of February, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of twenty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to three hundred 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 Kennedy, of Baltimore, Maryland, eight hundred shares; Henry D. Harvey, of Baltimore, Maryland, eight hundred shares; William Fisher, of Baltimore, Maryland, eight hundred shares; Benjamin M. Hodges, jr., of Baltimore, Maryland, eight hundred shares; and Charles H. Mills, of Baltimore, Maryland, eight hundred shares. 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 February, eighteen hundred and sixty-five.

[Signed, with seals.]

WILLIAM KENNEDY,  
HENRY D. HARVEY,  
WILLIAM FISHER,  
BENJ. M. HODGES, JR.,  
C. H. MILLS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the eighteenth day of February, eighteen hundred and eighty-five, 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 Wheeling, this twentieth day of March, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### BUFFALO CREEK OIL COMPANY.

I, Granville D. Hall, secretary 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 'Buffalo Creek Oil Company,' of the state of West Virginia, for the purpose of purchasing and leasing oil territory in the state of West Virginia, or elsewhere; for boring, excavating and mining for petroleum, rock or carbon oils, and other minerals, and buying and selling the same; 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 fifteenth day of March, eighteen hundred and eighty-five. (1885.) And for the purpose of forming the said corporation, we have subscribed the sum of four thousand (\$4,000) dollars to the capital thereof, and have paid in on said subscriptions the sum of four hundred (\$400) dollars, and desire the privilege of

increasing the said capital by sales of additional shares, from time to time, to two hundred thousand 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 Campbell Kimberland, one hundred shares; Adam Kuhn, one hundred shares, William Duval, fifty shares; Henry C. Kimberland, fifty shares; Danforth Brown, fifty shares; James I. Kuhn, fifty shares; all residents of the county of Brooke, 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 and seals, this twentieth day of March, eighteen hundred and sixty-five.

[Signed with seals,]

C. KIMBERLAND,  
ADAM KUHN,  
WILLIAM DUVAL,  
HENRY C. KIMBERLAND,  
J. I. KUHN,  
DANFORTH BROWN."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the fifteenth day of March, eighteen hundred and eighty-five, 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 Wheeling, this twentieth day of March, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### KANAWHA AND BRIDGE RUN OIL COMPANY.

I, Granville D. Hall, secretary 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 Bridge Run Oil Company,' for the purpose of purchasing and holding all that certain tract of land, situate, lying and being in Wirt county, in the state of West Virginia, on Bridge run, a branch of the Little Kanawha river, and bounded as follows: Beginning at a stone and pointers in a line of a survey made for G. W. Weaver, and running with the McClair line, south eighty-nine degrees, twenty minutes west, ninety-two poles, crossing and recrossing Bridge run to a gum, thence south, forty-five degrees east, thirty poles to a red oak; south, twenty degrees and three-quarters west, twenty-nine poles to a chestnut oak; thence south, fifty-five and one-half degrees west, forty-three poles, crossing a run to a white oak; thence south, thirteen and one-half degrees east, thirty poles to a white oak; thence south, twenty-eight and three-quarter degrees east, one hundred and forty-five poles crossing a run to a dog-wood in A. Beauchamp's line; thence with his line north, nineteen degrees fifty minutes east, seventy-six poles to a dog-wood, corner to said G. W. Weaver, in said Beauchamp's line; thence with said Weaver's line, north, four and three-quarter degrees east, one hundred and

fifty-nine poles, crossing a run to the beginning, containing one hundred acres; and to develop, improve, mine and bore said piece of land for petroleum or rock oil, coal, iron or other ores upon the same; and to sell and ship to a market said petroleum or rock oil and other products; and if deemed expedient, to refine or manufacture the same, and to have and enjoy all the rights and privileges conferred by the acts of the assembly of West Virginia on companies incorporated for such purposes. 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 seventeenth day of March, Anno Domini, one thousand eight hundred and eight-five. And for the purpose of forming said corporation, we have subscribed the sum of two hundred and fifty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty-five thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to one million of 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: M. S. Myers, of Philadelphia, eighty-one thousand two hundred and fifty shares, (81,250.) Charles E. Kelley, of Philadelphia, six thousand two hundred and fifty shares, (6,250.) Joseph Shoemaker, of Philadelphia, eighty-one thousand two hundred and fifty shares, (81,250.) Charles Kelley, of Philadelphia, six thousand two hundred and fifty shares, (6,250.) Gerard R. Tisdall, of Philadelphia, seventy-five thousand shares, (75,000.) And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands at Philadelphia, in the state of Pennsylvania, the seventeenth day of March, in the year of our Lord, one thousand eight hundred and sixty-five.

[Signed with seals,]

M. S. MYERS,  
CHAS. E. KELLEY,  
JOSEPH SHOEMAKER,  
CHARLES KELLEY,  
GERARD R. TISDALL."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the seventeenth day of March, eighteen hundred and eighty-five, 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 Wheeling, this twentieth day of March, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

#### THE PIERREPONT OIL COMPANY.

I, Granville D. Hall, secretary 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 'Pierrepont Oil Company,' for the purpose of boring for oil by sinking of wells, or



by developing the same by any other process, now known or which may hereafter be discovered or invented, to develop coal for the purposes of fuel or to be converted into oil, to manufacture and prepare the same for market, and to sell the same; which corporation shall keep its principal office or place of business in the city of Philadelphia, in the state of Pennsylvania, and is to expire on the first day of March, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and twenty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred and twenty thousand dollars, and desire the privilege of increasing the said capital by sales 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 dollar each, which are held by the undersigned, respectively, as follows, that is to say: by Franklin S. Wilson, residing in the city of Philadelphia, ten thousand shares; by George H. Christian, residing in the city of Philadelphia, ten thousand shares; by William F. Johnson, residing in the city of Philadelphia, seventy thousand shares; by Robert Clarkson, residing in the city of Philadelphia, ten thousand shares; by Joseph D. Koecker, residing in the city of Philadelphia, ten thousand shares; and John P. O'Neill, residing in the city of Philadelphia, ten thousand shares; and the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this first day of March, A. D., one thousand eight hundred and sixty-five.

[Signed,]

F. S. WILSON,  
 JOS. D. KOECKER,  
 WM. F. JOHNSON,  
 G. H. CHRISTIAN,  
 J. P. O'NEILL,  
 ROBERT CLARKSON."

Wherefore, the incorporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of March, eighteen hundred and eighty-five, 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 Wheeling, this twenty-third day of March, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

#### THE TUCKER CREEK OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 under the name of 'The Tucker Creek Oil and Mining Company of West Virginia,' for the purpose of producing and manufacturing petroleum oil and all its products, and producing and mining coal, iron and all other minerals which may be found and developed upon the land of said company; and for the further purpose of

manufacturing any articles that may be necessary to the production, retention, transportation or sale of said oil and minerals, and for such other purposes as shall be necessary. Which corporation shall keep its office at Elizabeth, Wirt county, West Virginia, and is to expire on the twenty-third day of March, A. D., eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of eight hundred thousand dollars to the capital thereof, and have paid in on said subscription the sum of eight hundred thousand dollars. The capital so subscribed is divided into shares of two dollars each, which are held in part by the undersigned, respectively, as follows, that is to say: by Mark Devine, of Philadelphia, Pa., twenty thousand shares; N. J. Nickerson, Philadelphia, Pa., twenty thousand shares; James M. Smith, Philadelphia, Pa., twenty thousand shares; Louis Grosholz, Philadelphia, Pa., twenty thousand shares; A. C. Gibson, Philadelphia, Pa., twenty thousand shares; A. Carlile, Philadelphia, Pa., twenty thousand shares; G. Pelman, Philadelphia, Pa., twenty thousand shares; J. H. Erlicher, Philadelphia, Pa., ten thousand shares; William M. Wilson, Philadelphia, Pa., forty thousand shares; Michael Baker, of Philadelphia, Pa., twenty thousand shares; P. C. Thomson, of Philadelphia, Pa., twenty thousand shares; Thomas Holden, of Philadelphia, Pa., twenty thousand shares; Tunis J. Hillings, Philadelphia, Pa., ten thousand shares; George F. Lee, Philadelphia, Pa., twenty thousand shares, and Joseph Campbell & Bro., ten thousand shares. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this fourth day of March, A. D., eighteen hundred and sixty-five.

[Signed,]

MARK DEVINE,  
N. J. NICKERSON,  
JAMES M. SMITH,  
LOUIS GROSHOLZ,  
A. C. GIBSON,  
A. CARLILE,  
G. PELMAN,  
J. H. EURLICHER,  
WM. M. WILSON,  
MICHAEL BAKER,  
P. C. TOMSON,  
THOS. HOLDEN,  
TUNIS J. HILLINGS,  
GEO. F. LEE,  
CHARLES CAMPBELL,  
JOSEPH CAMPBELL."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the twenty-third day of March, eighteen hundred and eighty-five, 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 Wheeling, this twenty-third day of March, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE CUSTARD ISLAND OIL COMPANY.

I, Granville D. Hall, secretary 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 following words and figures:

"The undersigned agree to become a corporation by the name of 'The Custard Island Oil Company,' for the purpose of exploring for oil or other minerals, and vending the same; or transporting or exporting the same for sale or otherwise; which corporation shall keep its principal office or place of business in the city of Philadelphia, in the state of Pennsylvania. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred thousand dollars, and have paid in on said subscription the sum of twenty thousand dollars. The capital so subscribed is divided into shares of one dollar each, which are held by the undersigned as follows: Andrew J. Catherwood, five thousand shares; Andrew S. Tomkinson, five thousand shares; John Burgess, per A. S. F., ten thousand shares; C. W. Schropp, five thousand shares; Frederick Mear, ten thousand shares; James Salt, ten thousand shares; Frederick Rohrbacher, five thousand shares; Peter Rohrbacher, per F. R., five thousand shares; William Siegfried, ten thousand shares; Lewis Woolman, five thousand shares; Sarah Woolman, five thousand shares; Henry Schuabell, five thousand shares; Joseph Phillips, five thousand shares; Solomon Wagner, two thousand five hundred shares; Samuel W. Hess, five thousand shares; Augustus B. Davis, five thousand shares; W. W. Walker, two thousand five hundred shares; all whom are residents of the city of Philadelphia, in the state of Pennsylvania. And the capital to be hereafter subscribed or sold is to be divided into shares of the like amount.

Given under our hands this twenty-fifth day of February, eighteen hundred and sixty-five.

[Signed,]

FREDERICK MEAR,  
 JOSEPH PHILLIPS,  
 W. D. SIEGFRIED,  
 ANDREW S. TOMKINSON,  
 ANDREW S. TOMKINSON,  
*Attorney in fact for John Burgess.*  
 W. W. WALKER,  
 SAMUEL W. HESS,  
 AUGUSTUS B. DAVIS,  
 C. W. SCHROPP,  
 JAMES SALT,  
 AND. J. CATHERWOOD,  
 SOLOMON WAGNER,  
 FRED. ROHRBACHER,  
 FRED. ROHRBACHER,  
*Attorney in fact for Peter Rohrbacher.*  
 LEWIS WOOLMAN,  
 LEWIS WOOLMAN,  
*Attorney in fact for Sarah Woolman.*  
 HENRY SCHUABEL."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-fourth day of March, eighteen hundred and eighty-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, at Wheeling, this twenty-fourth day of March, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

### THE WEST VIRGINIA BASIN OIL COMPANY.

I, Granville D. Hall, secretary 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 Basin Oil Company,' for the purpose of mining or boring for petroleum oil in Wirt and Pleasants counties, West Virginia, and disposing of the product in the best markets; which corporation shall keep its principal office and place of business on the property owned by said company, on Bull creek, in Wirt county, and is to expire on the first day of March, A. D., eighteen hundred and eighty-five. And for the purpose of forming said corporation we have subscribed the sum of six thousand two hundred dollars to the capital stock thereof, and have paid in on said subscriptions the sum of six thousand two hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to twenty-five thousand dollars in all. The capital so subscribed is divided into six thousand two hundred shares of one dollar each, and the capital to be hereafter subscribed shall be divided into shares of the like amount. The capital already subscribed is divided and held by the undersigned, respectively, as follows, that is to say: S. McClean, city of Pittsburgh, Pa., fifteen hundred shares; D. Robinson, city of Pittsburgh, Pa., fifteen hundred shares; Ross Forward, city of Pittsburgh, Pa., two thousand shares; Charles Hays, city of Pittsburgh, Pa., five hundred shares; J. K. Smith, city of Pittsburgh, Pa., five hundred shares; James Dickson, city of Pittsburgh, Pa., two hundred shares.

Given under our hands this ninth day of March, A. D., eighteen hundred and sixty-five.

[Signed,]

S. McCLEAN, JR.,  
D. ROBINSON,  
J. K. SMITH,  
JAMES DICKSON,  
CHAS. HAYS,  
ROSS FORWARD."

Wherefore, the corporators named in the said agreement and who have signed the same, are hereby declared to be from this date until the first day of March, eighteen hundred and eighty-five, 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 Wheeling, this twenty-seventh day of March, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE BUCK RUN OIL COMPANY.

I, Granville D. Hall, secretary 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 under the law of the state of West Virginia, passed October twenty-sixth, eighteen hundred and sixty-three, and the supplement thereto, passed February third, eighteen hundred and sixty-five, by the name of 'The Buck Run Oil Company,' for the purpose of purchasing and leasing lands in Doddridge county and elsewhere in the said state of West Virginia, and of boring, excavating and mining the same to procure petroleum, rock or carbon oils or other minerals, and to refine, sell, trade or deal in the same ; and, generally, to do and perform all matters and things needful, necessary or desirable in carrying on such business in oils or oil works. The said corporation shall keep its principal office or place of business in the city of Philadelphia and state of Pennsylvania, and is to expire on the twenty-second day of March, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of ten thousand five hundred dollars, and desire the privilege of increasing said capital by sales 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 Oliver S. Frick, twenty-one thousand (21,000) shares ; George L. Frick, twenty-one thousand (21,000) shares ; Nathan Frick, twenty-one thousand (21,000) shares ; Thomas Wilbraham, twenty-one thousand (21,000) shares ; F. P. Nicholson, twenty-one thousand (21,000) shares ; all residents of the city of Philadelphia. The capital hereafter sold is to be divided into shares of like amount.

Given under our hands and seals this twenty-second day of March, Anno Domini, one thousand eight hundred and sixty-five (A. D., 1865.)

[Signed with seals,]

OLIVER S. FRICK,  
 GEORGE L. FRICK,  
 NATHAN FRICK,  
 THOMAS WILBRAHAM,  
 FRANCIS P. NICHOLSON."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-second day of March, eighteen hundred and eighty-five, 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 Wheeling, this twenty-ninth day of March, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
 Secretary of the State.

## THE WEST VIRGINIA NATIONAL PETROLEUM COMPANY.

I, Granville D. Hall, secretary 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 National Petroleum Company,' for the purpose of boring for, mining, producing, refining and vending petroleum or rock oil, salt, and any other products found in or upon the lands which shall be acquired by the company; which corporation shall keep its principal office or place of business at Philadelphia, in the county of Philadelphia, and is to expire on the twenty-second day of March, eighteen hundred and sixty-five. 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 sales of additional shares, from time to time, to one million 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 James Lynd, who resides in the city of Philadelphia, and owns eighty thousand shares; William Griffiths, who resides in the said city and owns five thousand shares; Matthew J. Brady, who resides in the said city and owns five thousand shares; William H. Ackley, who resides in the said city and owns five thousand shares; and Joseph T. Rowand, who resides in the city of Camden, and owns five thousand shares of the same. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-second day of March, eighteen hundred and sixty-five.

[Signed,]

MATTHEW J. BRADY,  
WM. H. ACKLEY,  
JAMES LYND,  
WM. GRIFFITHS,  
JOS. T. ROWAND."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the twenty-second day of March, eighteen hundred and eighty-five, 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 Wheeling, this first day of April, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## PENINSULA OIL COMPANY.

I, Granville D. Hall, secretary 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 under the name of the 'Peninsula Oil Company,' for the purpose of producing and manufacturing

in Monongalia county, West Virginia, petroleum oil and all its products, and for the further purpose of manufacturing any articles that may be necessary to its production, retention, transportation and sale, and for such other purpose as may be necessary; which corporation shall keep its principal office in the city of Philadelphia; and its chief operations shall be carried on near Morgantown, in Monongalia county, West Virginia, with branch office at that place; and is to expire on the twenty-fifth day of March, A. D., eighteen hundred and eighty-five. 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 twenty-six thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred and twenty 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: Louis Brown, of Philadelphia, twenty thousand shares; Julius C. Sterling, of Philadelphia, twenty thousand shares; Jacob Grim, of Philadelphia, twenty thousand shares; Frederick A. Miller, of Philadelphia, twenty thousand shares, and Alfred Willits, of Philadelphia, twenty thousand shares. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this twenty-fifth day of March, eighteen hundred and sixty-five (A. D., 1865.)

[Signed,]

LOUIS BROWN,  
JULIUS C. STERLING,  
JACOB GRIM,  
FRED. A. MILLER,  
ALFRED WILLITS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-fifth day of March, eighteen hundred and eighty-five, 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 Wheeling, this first day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### THE FRENCH CREEK OIL COMPANY OF WEST VIRGINIA.

I, Granville D. Hall, secretary 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 French Creek Oil Company of West Virginia,' for the purpose of mining and boring for petroleum, salt, iron, coal and other minerals, and mineral substances, and refining and otherwise preparing the same for sale, and selling the same; which corporation shall keep its principal office or place of business at the city of Philadelphia, in the state of Pennsylvania, and is to expire on the fifteenth day of March, eighteen hundred and eighty-five. 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 sixty thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one million dollars in all. The capital so subscribed is divided into twenty thousand shares of ten dollars each, which are held by the undersigned, respectively, as follows: that is to say, by Charles G. M. Griffiths, of Delaware county, Pennsylvania, seventeen thousand six hundred shares; William C. Kates, of Salem county, New Jersey, four hundred shares; Hugh W. Tener, of Philadelphia, Pennsylvania, eight hundred shares; Robert C. Davis, of Philadelphia, Pennsylvania, eight hundred shares; Enoch Gray, of Philadelphia, Pennsylvania, four hundred shares. 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 March, eighteen hundred and sixty-five. (1865.)

[Signed,]

C. G. M. GRIFFITHS,  
WM. C. KATES,  
HUGH W. TENER,  
R. C. DAVIS,  
ENOCH GRAY."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the fifteenth day of March eighteen hundred and eighty-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, at Wheeling, this first day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### WILMINGTON OIL COMPANY.

I, Granville D. Hall, secretary 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 'Wilmington Oil Company,' for the purpose of buying and leasing oil territory, boring, excavating and mining for petroleum, rock oil or carbon oil, and buying and selling the same; 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 April, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of three hundred thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty thousand dollars; and desire the privilege of increasing the said capital by sales of additional shares from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of two dollars each, which are held by the undersigned, respectively, as follows: that is to say, by Charles Hathaway, of the city of Philadelphia, state of Pennsylvania, two thousand shares; James Watt, of the



same place, twenty-two thousand shares; Joseph Singerly, of the same place, twenty-two thousand shares; William Stearns, of the same place, twenty-two thousand shares; George H. Huddell, of the same place, twenty thousand shares; Harry Darlington, of the same place, twenty thousand shares, and George Stearns, of the city of Wilmington, state of Delaware, twenty-two thousand shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this twenty-eighth day of March, eighteen hundred and sixty-five.

[Signed,]

CHARLES HATHAWAY,  
JAMES WATT,  
JOSEPH SINGERLY,  
WM. STEARNS,  
G. H. HUDDPELL,  
HARRY DARLINGTON,  
GEORGE STEARNS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of April, eighteen hundred and eighty-five, 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 Wheeling, this third day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### THE STANDING STONE OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 following words and figures:

"The undersigned agree to become a corporation under the name of 'The Standing Stone Oil and Mining Company,' under the law of the state of West Virginia, approved October twenty-sixth, eighteen hundred and sixty-three, and the supplement thereto, for the purpose of purchasing and leasing lands in Tyler and Wirt counties, West Virginia, and elsewhere, and of boring, excavating and mining the same to procure petroleum, rock or carbon oils, coal and other minerals, and to refine, sell, trade or deal in the same, and generally to do and perform all matters, or things necessary or desirable in carrying on such business. The said corporation shall keep its principal office or place of business in the city of Philadelphia, in the state of Pennsylvania; and for the purpose of forming said corporation we have subscribed the sum of one hundred and twenty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of thirty thousand dollars, and desire that the said sum of one hundred and twenty thousand dollars shall be all the capital of said corporation. The capital so subscribed is divided into two hundred thousand shares of sixty cents (60 cts.) each, which are held by the undersigned, respectively, as follows: that is to say, John R. Young, thirty-three thousand three hundred and thirty-three and one-third (33,333 $\frac{1}{3}$ ) shares;

James M. Ferguson, thirty-three thousand three hundred and thirty-three and one-third (33,333 $\frac{1}{3}$ ) shares; Charles H. Sidebotham, thirty-three thousand three hundred and thirty-three and one-third (33,333 $\frac{1}{3}$ ) shares; John W. Mosly, thirty-three thousand three hundred and thirty-three and one third (33,333 $\frac{1}{3}$ ) shares; Isaac Cooper, thirty-three thousand three hundred and thirty-three and one-third (33,333 $\frac{1}{3}$ ) shares; Casper L. Rehn, thirty-three thousand three hundred and thirty-three and one-third (33,333 $\frac{1}{3}$ ) shares; all residents of the state of Pennsylvania.

Given under our hands and seals, this thirteenth day of March, Anno Domini, one thousand eight hundred and sixty-five. (A. D., 1865.)

[Signed with seals,]

JOHN RUSSELL YOUNG,  
JAS. M. FERGUSON,  
ISAAC COOPER,  
JOHN W. MOFFLEY,  
CHAS. H. SIDEBOTHAM,  
CASPER L. REHN."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the sixth day of April, eighteen hundred and eighty-five, 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 Wheeling, this sixth day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### WEST FORK OIL COMPANY.

I, Granville D. Hall, secretary 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 Fork Oil Company,' for the purpose of boring for petroleum or rock oil, or other minerals, in Lewis county, West Virginia, and disposing of the products obtained in the best markets; which corporation shall have its principal office or place of business at Clarksburg, in the county of Harrison, and is to expire on the twenty-fourth day of March, eighteen hundred and eighty-five. And for the purpose of forming said corporation, we have subscribed the sum of forty-eight thousand dollars to the capital thereof, and have paid in on said subscriptions, the sum of forty-eight hundred 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 one dollar each, which are held by the undersigned, respectively, as follows: that is to say, by C. Baelz, twelve thousand shares; A. Lange, twelve thousand shares; A. Meckleburg, twelve thousand shares; Frederick Braun, six thousand shares; and J. G. Barkofen, six thousand shares; all of whom are residents of the city of Pittsburgh, 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 twenty-fourth day of March, eighteen hundred and sixty-five.

[Signed,]

CLEMENS BAELZ,  
ARNOLD LANGE,  
ARNOLD MECKLEBURG,  
JOHN GEORGE BARKOFEN,  
FREDERICK BRAUN."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-fourth day of March, eighteen hundred and eighty-five, 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 Wheeling, this sixth day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### THE GREAT SALT LICK OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 under the name of 'The Great Salt Lick Oil and Mining company,' for the purpose of producing, mining and manufacturing in Marion county, in the state of West Virginia, petroleum, coal and other minerals, and all products of the same, and for the purpose of manufacturing any article that may be necessary to the production, retention, transportation or sale of the same, and for such other purposes as shall be necessary, which corporation shall keep its principal office or place of business in the city of Philadelphia, in the state of Pennsylvania, and is to expire on the thirty-first day of March, A. D., one thousand eight hundred and eighty-five. (1885.) And for the purpose of forming the said corporation, we have subscribed the sum of three hundred thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of thirty thousand dollars. The capital so subscribed is divided into shares of one dollar each, which are held by the undersigned, respectively, as follows: by Isaac Jump, residing in Dover, Delaware, sixty thousand shares; George V. Massey, residing in Dover, Delaware, sixty thousand shares; Israel Townsend, residing in Wilmington, Delaware, sixty thousand shares; William Fields, residing in Wilmington, Delaware, sixty thousand shares; James Montgomery, residing in Wilmington, Delaware, sixty thousand shares.

Given under our hands, this thirty-first day of March, Anno Domini, one thousand eight hundred and sixty-five. (1865.)

[Signed,]

ISAAC JUMP,  
GEO. V. MASSEY,  
ISRAEL TOWNSEND,  
WILLIAM FIELDS,  
JAMES MONTGOMERY."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the thirty-first day of March, eighteen hundred and eighty-five, 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 Wheeling, this sixth day of April eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### BRANDYWINE AND PHILADELPHIA OIL COMPANY.

I, Granville D. Hall, secretary 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 Brandywine and Philadelphia Oil Company,' for the purpose of buying and leasing oil territory, boring, excavating and mining for petroleum, rock oil or carbon oil, and buying and selling the same; 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 April, eighteen hundred and eighty-five; and for the purpose of forming the said corporation, we have subscribed the sum of three hundred and twelve thousand five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of two and fifty one-hundredth dollars each, which are held by the undersigned respectively, as follows: that is to say, by William Stearns, of the city of Philadelphia, state of Pennsylvania, eighteen thousand shares; by Charles Hathaway, of the same place, eighteen thousand shares; James Watt, of the same place, eighteen thousand shares; Joseph Singerly, of the same place, eighteen thousand shares; George H. Haddell, of the same place, eighteen thousand shares; Harry Darlington, of the same place, seven-teen thousand shares; George Stearns, of the city of Wilmington, state of Delaware, eighteen thousand shares; and the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this twenty-eighth day of March, eighteen hundred and sixty-five.

[Signed,]

WM. STEARNS,  
CHARLES HATHAWAY.  
JAMES WATT.  
JOSEPH SINGERLY,  
G. W. HADDELL,  
HARRY DARLINGTON,  
GEORGE STEARNS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day

of April, eighteen hundred and eighty-five, 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 Wheeling, this sixth day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### THE LAUREL RUN OIL COMPANY.

I, Granville D. Hall, secretary 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 Laurel Run Oil Company,' for the purpose of mining, boring, pumping and otherwise procuring petroleum oil, salt or other minerals, and selling the same; 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 April, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of two hundred and fifty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of two hundred and fifty thousand dollars, and desire the privilege of increasing the said capital by sales 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, which are held by the undersigned respectively, as follows: that is to say, Martia Powell, of the city of Philadelphia, Pennsylvania, one thousand shares; Isaac Rowe, of the city of Philadelphia, Pennsylvania, one thousand shares; John L. Lawson, of the city of Philadelphia, Pennsylvania, eighty-two thousand six hundred and sixty-seven shares; David H. Chadwick, of Morgantown, West Virginia, eighty-two thousand six hundred and sixty-seven shares; and Le Roy Kramer, of Morgantown, West Virginia, eighty-two thousand six hundred and sixty-seven shares; 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 March, eighteen hundred and sixty-five.

[Signed,]

MARTIN POWELL,  
ISAAC ROWE,  
JOHN L. LAWSON,  
DAVID H. CHADWICK,  
LE ROY KRAMER."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of April, eighteen hundred and eighty-five, 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 Wheeling, this seventh day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE MAIDSVILLE OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 Madsville Oil and Mining Company,' for the purpose of boring, mining and operating for petroleum, salt water, &c. Which corporation shall keep its principal office or place of business at Madsville, in the county of Monongalia, state of West Virginia, and is to expire on the thirty-first day of March, eighteen hundred and eighty-five, unless sooner dissolved. And for the purpose of forming the said corporation, we have subscribed the sum of fourteen hundred dollars to the capital thereof, and there has been paid in on said subscriptions the sum of one hundred and forty dollars, which is at least ten per cent of the par value of the stock subscribed by the undersigned. And the undersigned desire the privilege of increasing the said capital by sales of additional shares from time to time, to not more than one million of dollars in all. The capital so subscribed by said corporators is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows: Samuel Hackney, one share, one hundred dollars; James Lazzell, one share, one hundred dollars; Samuel C. Lazzell, one share, one hundred dollars; J. S. Reppert, one share, one hundred dollars; E. J. Bowlley, one share, one hundred dollars; N. H. Crieffield, one share, one hundred dollars; W. H. Smyth, one share, one hundred dollars; James Fanders, one share, one hundred dollars; S. L. Smyth, one share, one hundred dollars; D. M. Gapen, one share, one hundred dollars; Samuel Raber, one share, one hundred dollars; James T. Eirley, one share, one hundred dollars, W. B. Long, one share, one hundred dollars; A. G. Davis, one share, one hundred dollars; and the said corporators reside in Monongalia 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 first day of April, eighteen hundred and sixty-five.

[Signed,]

SAMUEL HACKNEY,	JAMES FANDERS,
JAMES LAZZELL,	D. S. SMYTH,
S. C. LAZZELL,	D. M. GAPEN,
J. S. REPERT,	SAMUEL RABER,
E. J. BOWLLEY,	JAMES T. EIRLY,
N. H. CRIEFIELD,	WM. B. LONG,
W. H. SMYTH,	A. G. DAVIS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the thirty-first day of March, eighteen hundred and eighty-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, at Wheeling, this eighth day of April, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## THE CINCINNATI OIL AND SALT COMPANY.

I, Granville D. Hall, Secretary 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 Cincinnati Oil and Salt Company,' for the purpose of digging or boring for oil, salt and other medicinal or mineral or vegetable fluid, in the earth, mining coal and other mineral or minerals; and for the purpose of refining, purifying and manufacturing the same, or any part thereof, in the county of Mason, West Virginia; and which corporation shall keep its principal place of business of boring, digging, mining, refining, purifying and manufacturing, in the town of Adamsville, in said Mason county, West Virginia, and an office in Cincinnati, Hamilton county, Ohio, and is to expire on the first day of January, A. D., eighteen hundred and eighty-five. (1885.) And for the purpose of forming said corporation, we have subscribed the sum of fifteen thousand five hundred dollars to the capital thereof, and have paid in the sum of fifteen hundred and fifty dollars; and desire the privilege of increasing said capital by sales of additional shares of stock from time to time, to five hundred thousand (\$500,000) dollars. The capital stock so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows: that is to say, first, by Lemuel H. Sargent, of the city of Cincinnati, Hamilton county, state of Ohio, sixty shares; second, Richard M. Bishop, of said city of Cincinnati, thirty shares; third, John C. Morris, of said Cincinnati, twenty shares; fourth, James W. Sibley, of said Cincinnati, twenty shares; and, fifth, William Woods, of said city of Cincinnati, twenty-five shares; and the capital stock to be sold is to be divided into shares of like amount.

Given under our hands and seals this eighth day of February, A. D., eighteen hundred and sixty-five.

[Signed with seals,]

L. H. SARGENT,  
R. M. BISHOP,  
JOHN C. MORRIS,  
JAMES W. SIBLEY,  
WM. WOODS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of January eighteen hundred and eighty-five, 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 Wheeling, this tenth day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE DEER LICK OIL AND MANUFACTURING COMPANY.

I, Granville D. Hall, secretary of the state of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affida-

vits, has been this day delivered to me; which agreement is in the words and figures following:

“ Know all men by these presents, that we, the undersigned, agree to become a corporation by the name of ‘The Deer Lick Oil and Manufacturing Company,’ for the purpose of boring or mining for petroleum oil and making sale of such oil as may be obtained thereby; and also for manufacturing sawed and market lumber, ax-handles and pick-handles: which corporation shall keep its principal office at Guyandotte, in the county of Cabell, in the state of West Virginia, the mining and manufacturing operations of said corporation being conducted in said county and state, in the vicinity of said town of Guyandotte, said corporation is to expire on the twenty-fifth day of March, A. D., (1885) eighteen hundred and eighty-five. For the purpose of forming said corporation we have subscribed the sum of sixty thousand (\$60,000) dollars to the capital thereof, and have paid in on said subscriptions the sum of ten thousand (\$10,000) dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to six hundred thousand (\$600,000) dollars in all. The capital so subscribed is divided into shares of twenty-five (\$25.00) dollars each, which are held by the undersigned, respectively, as follows: that is to say, George W. Warren, whose place of residence is Washington county, state of New York, holds four hundred and eighty (480) shares; David C. Steiner, whose place of residence is Baltimore, Maryland, holds four hundred and eighty shares (480); Mark N. Megrue, whose place of residence is Cincinnati, Ohio, holds four hundred and eighty shares (480); Conduce G. Megrue, whose place of residence is Cincinnati, Ohio, holds four hundred and eighty shares (480); Richard P. Rifemberick, whose place of residence is Cincinnati, Ohio, holds four hundred and eighty shares (480); and the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this thirtieth day of March, A. D., eighteen hundred and sixty-five.

[Signed,]

GEORGE W. WARREN,  
D. C. STEINER,  
M. N. MEGRUE,  
C. G. MEGRUE,  
R. P. RIFEMBERICK.”

Wherefore, the corporators named in the said agreement and who have signed the same, are hereby declared to be from this date until the twenty-fifth day of March, eighteen hundred and eighty-five, 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 Wheeling, this twelfth day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*



## BLAIR OIL COMPANY.

I, Granville D. Hall, secretary 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 'Blair Oil Company,' of West Virginia, for the purpose of producing and manufacturing in Pleasants, Wirt and Ritchie counties, West Virginia, petroleum oil and all its products; and for the further purpose of manufacturing any articles necessary to its production, retention, transportation or sale, and for such other purposes as shall be necessary; which corporation shall keep its principal office or place of business at Philadelphia city, Pennsylvania, and is to expire on the fourteenth day of April, A. D., eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of four hundred thousand dollars to the capital thereof, and have paid in on said subscription the sum of fifty thousand dollars. The capital so subscribed is divided into shares of two dollars each, which are held by the undersigned, as follows, to-wit: by Marmaduke Moore, of Philadelphia, Pa., twenty-five thousand shares; Jesse E. Peyton, of Haddensfield, N. J., fifty thousand shares; Lucien Peyton, of Philadelphia, Pa., fifty thousand shares; D. O. Taylor, of Allentown, Pa., for John D. Stiles, twenty-five thousand shares; Thos. D. Conyngham, of Philadelphia, Pa., fifty thousand shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this tenth day of April, A. D., eighteen hundred and sixty-five.

[Signed,]

MARMADUKE MOORE,  
 JESSE PEYTON,  
 LUCIEN PEYTON,  
 D. O. TAYLOR, for  
 J. D. STILES,  
 THOS. D. CONYNGHAM."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the fourteenth day of April, eighteen hundred and eighty-five, 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 Wheeling, this fourteenth day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
 Secretary of the State.

## WHEELING AND CLARINGTON OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 and Clarington Oil and Mining Company,' for the purpose of mining for petroleum and other minerals within the territorial limits of the

*Corporations.*

states of West Virginia and Ohio; 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 January, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of six thousand four hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of eighteen hundred dollars, and desire the privilege of increasing the said capital by sales 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 Joseph Seybold, a resident of Wheeling, W. Va., five shares; by Augustus Pollack, a resident of Wheeling, W. Va., five shares; by Lewis Jones, a resident of Wheeling, W. Va., five shares; by Samuel P. Hildreth, a resident of Wheeling, W. Va., five shares; by Samuel N. Prather, a resident of Wheeling, W. Va., five shares; by James P. Rogers, a resident of Wheeling, W. Va., five shares; by John Roemer, a resident of Wheeling, W. Va., five shares; by William H. Irwin, a resident of Wheeling, W. Va., five shares; by Jacob Snyder, a resident of Wheeling, W. Va., five shares; by Jacob S. Rhodes, a resident of Wheeling, W. Va., five shares; by John Habermehl, a resident of Wheeling, W. Va., three shares; by William H. Harrison, a resident of Wheeling, W. Va., two shares; by Dan. O. C. Quinlan, a resident of Wheeling, W. Va., one and three-fourth shares; by G. G. Sawtell, a resident of Wheeling, W. Va., two and one-half shares; by Nicodemus Riester, a resident of Wheeling, W. Va., one share; by Joseph D. DuBois, a resident of Wheeling, W. Va., two shares; by John G. Hoffman, a resident of Wheeling, W. Va., one share; by William Ghering, a resident of Wheeling, W. Va., three-fourth 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 March, eighteen hundred and sixty-five.

[Signed.]

JOSEPH SEYBOLD,	DAN. O. C. QUINLAN,
AUGUSTUS POLLACK,	NICODEMUS RIESTER,
LEWIS JONES,	WM. H. IRWIN,
JACOB SNYDER,	J. D. DUBOIS,
S. N. PRATHER,	JOHN G. HOFFMAN,
JAMES P. ROGERS,	G. G. SAWTELL,
JOHN ROEMER,	J. S. RHODES,
S. P. HILDRETH,	WM. GEHRING,
JOHN HABERMEHL,	W. H. HARRISON."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of January, eighteen hundred and eighty-five, 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 Wheeling, this fifteenth day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE WALKER CREEK OIL COMPANY OF WEST VIRGINIA.

I, Granville D. Hall, secretary 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 under the law of the state of West Virginia, passed October twenty-sixth, eighteen hundred and sixty-three, and the supplements thereto, by the name, style and title of 'The Walker Creek Oil Company of West Virginia,' for the purpose of mining, excavating, pumping, or, by other means, obtaining oils, gas, coal or other minerals, in the state of West Virginia; and to buy and lease lands for and by the corporation, and to others for a like object; and also to buy, sell, trade and deal in oils, and to store and transport the same; and to refine or cause the same to be refined; and, generally, to do and perform all matters and things necessary or desirable in carrying on such business in oils or oil works, and coal or other minerals, as well as to erect or own machinery, tanks and other works for refining oil or otherwise. The said corporation shall keep its principal office or place of business in the city of Philadelphia, and is to expire on the twenty-second day of April, Anno Domini, eighteen hundred and eighty-five (1885.) And for the purpose of forming said corporation, we have subscribed the sum of one hundred and fifty thousand dollars, and have paid in on said subscriptions the sum of fifteen thousand dollars. 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: John B. Love, seventy-three thousand shares (73,000); John L. Linton, seventy-three thousand shares (73,000); Hiram M. Grosh, two thousand shares (2,000); J. Stewart Love, one thousand shares (1,000), and George Lendrem, one thousand shares (1,000).

Given under our hands and seals, at Philadelphia, on this the tenth day of April, A. D., eighteen hundred and sixty-five.

{Signed with seals,}

JOHN B. LOVE,  
JOHN L. LINTON,  
HIRAM M. GROSH,  
J. STEWART LOVE,  
GEORGE LENDREM."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-second day of April, eighteen hundred and eighty-five, 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 Wheeling, this twenty-second day of April eighteen hundred and sixty-five.

{SEAL.}

GRANVILLE D. HALL,  
*Secretary of the State.*

## JACKSON RUN OIL COMPANY.

I, Granville D. Hall, secretary 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 under the name of the 'Jackson Run Oil Company,' for the purpose of boring and mining for, producing, manufacturing, selling and disposing of petroleum or rock oil, salt, coal and other minerals, and all their products, in Wood county, West Virginia; and for the further purpose of manufacturing any article that may be necessary to the production, manufacturing, transportation and sale of said articles; and also, for the purpose of purchasing, leasing, holding and subletting lands for such purposes; and also, for such other purposes as shall be necessary; which corporation shall keep its principal office or place of business at Pittsburgh, in the county of Allegheny, state of Pennsylvania, and is to expire on the first day of March, eighteen hundred and eighty-five. (1885.) And for the purpose of forming the said corporation, we have subscribed the sum of four thousand two hundred and twenty-five dollars, and have paid in on said subscriptions the sum of eight hundred and fifty dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to thirty 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 Joseph F. Hamilton, of Wheeling, West Virginia, one thousand shares; by William McCullough, of Pittsburgh, Pennsylvania, five hundred shares; by James R. Reed, of the same place, five hundred shares; by John Campbell, of the same place, five hundred shares; by William M. McCallen, of the same place, five hundred shares; by John McCallen, of the same place, two hundred and twenty-five shares; and by William W. Thomson, of the same place, one thousand shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this fifteenth day of March, eighteen hundred and sixty-five.

[Signed,]

JOS. F. HAMILTON,  
JAMES R. REED,  
W. McCULLOUGH,  
JOHN CAMPBELL,  
WM. M. McCALLEN,  
JOHN McCALLEN,  
W. W. THOMSON."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of March, eighteen hundred and eighty-five, 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 Wheeling, this twenty-fourth day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

MONONGALIA OIL AND MINING COMPANY OF THE CITY OF  
PHILADELPHIA.

I, Granville D. Hall, secretary 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 under the name of the 'Monongalia Oil and Mining Company of the city of Philadelphia,' for the purpose of producing and manufacturing, in Monongalia county, West Virginia, petroleum or rock oil, or by what name soever the same may be known, and all its products; and for the further purpose of manufacturing any articles that may be necessary to its production, retention, transportation or sale, and for such other purposes as shall be necessary. Which corporation shall keep its principal office or place of business at Philadelphia, in the state of Pennsylvania, and is to expire on the eighteenth day of April, A. D., eighteen hundred and eighty-five. And for the purpose of forming the said corporation we have subscribed the sum of thirty-eight thousand dollars to the capital thereof; and have paid in on said subscriptions the sum of fifteen thousand dollars: and desire the privilege of increasing the said capital by sales of additional shares from time to time, to one million 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 Farson, of Philadelphia, six thousand (6,000) shares; by Theodore W. Lillagore, of Philadelphia, two thousand (2,000) shares; by Marcus A. Davis, of Philadelphia, six thousand (6,000) shares; by Furman M. Mayhew, of Philadelphia, four thousand (4,000) shares, by L. R. Walker, of Philadelphia, six thousand shares; by John R. Orr, of Philadelphia, two thousand (2,000) shares; by John Seitz, of Philadelphia, twelve thousand (12,000) shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this eighteenth day of April, A. D., eighteen hundred and sixty-five.

[Signed with seals,]

WM. FARSON,  
THEO. W. LILLAGORE,  
MARCUS A. DAVIS,  
FURMAN M. MAYHEW,  
LAMBERT R. WALKER,  
JOHN R. ORR,  
JOHN SEITZ."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the eighteenth day of April, eighteen hundred and eighty-five, 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 Wheeling, this twenty-fourth day of April, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## BARRETT OIL COMPANY.

I, Granville D. Hall, secretary 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 'Barrett Oil Company,' for the purpose of boring and mining for oil and minerals, purifying, rectifying and manufacturing the same, and the several component parts thereof, and selling the said oil and minerals and the products thereof, on and near Stillwell Creek, in Wood county, West Virginia. Which corporation shall have its principal office or place of business at Murphy's Mill, on said creek, in the county aforesaid, and is to expire on the fifth day of April, in the year eighteen hundred and eighty-five. And for the purpose of forming said corporation, we have subscribed the sum of forty thousand dollars to the capital thereof, and have paid in on said subscriptions, the sum of eighteen thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of two dollars and fifty cents each, which are held by the undersigned, respectively, as follows: that is to say, by C. P. Bower, Philadelphia, fifteen thousand shares; by S. G. Harrington, Philadelphia, fifteen thousand shares; by C. H. R. Triebels, Philadelphia, fifteen thousand shares; by William Henry, Philadelphia, ten thousand shares; by John R. Stroud, Philadelphia, ten thousand shares; by J. M. Thompson, Philadelphia, ten thousand shares; by A. W. Milby, Philadelphia, five thousand 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 April, eighteen hundred and sixty-five.

[Signed with seals,]

CHARLES P. BOWER,  
CHAS. H. R. TRIEBELS,  
SAMUEL G. HARRINGTON,  
WILLIAM HENRY,  
JONATHAN B. STROUD,  
JNO. M. THOMPSON,  
ARTHUR W. MILBY."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the fifth day of April, eighteen hundred and eighty-five, 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 Wheeling, this twenty-fifth day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE DIAMOND STATE OIL COMPANY.

I, Granville D. Hall, secretary 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 'Diamond State Oil Company,' for the purpose of mining for oil, preparing and transporting the same to market, mining for coal and transporting the same to market, and mining for asphaltum and preparing and transporting the same to market. Which corporation shall keep its principal office or place of business at the city of Wilmington, state of Delaware, and is to expire on the twenty-sixth day of April, A. D., eighteen hundred and eighty-five: and for the purpose of forming said corporation, we have subscribed the sum of eighty thousand dollars to the capital, and have paid in on said subscriptions the sum of twenty thousand 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 one dollar each, which are held by the undersigned, respectively, as follows: that is to say, by Rufus E. Shapley, of the city of Philadelphia, twelve thousand shares; by Enos Larkin, of Wilmington, Delaware, eight thousand shares; by John F. Allen, of Wilmington, two thousand shares; by William Preston, of Wilmington, Delaware, four thousand shares; by William D. Nolan, of Wilmington, two thousand shares; by Aaron Conrad, of Wilmington, eight thousand shares; by Henry English, of Wilmington, four thousand shares; by Bernard Row, of Wilmington, two thousand shares; by Samuel Biddle, of Wilmington, four thousand shares; by Philemma Chandler, of Wilmington, two thousand shares; by John G. Hicks, of Wilmington, four thousand shares; by S. J. Horn, of Wilmington, four thousand shares; by James Young, of Wilmington, two thousand shares; by J. R. Woods, of Wilmington, two thousand shares; by William M. Reynolds, of Wilmington, two thousand shares; by John S. Kersey, of Wilmington, two thousand shares; by William J. McKaig, of Wilmington, two thousand shares; by Samuel Catts, of Wilmington, two thousand shares; by William S. Chandler, of Wilmington, four thousand shares; by Henry F. Pickels, of Wilmington, two thousand shares; by Spencer Chandler, of Mill Creek Hundred, New Castle county, state of Delaware, two thousand shares; by Robert H. Logan, of Wilmington, two thousand shares; by J. Mairs, of Wilmington, two thousand shares. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands and seals, this twentieth day of April, A. D., eighteen hundred and sixty-five.

[Signed with seals,]

RUFUS E. SHAPLEY,  
ENOS LARKIN,  
JOHN F. ALLEN,  
WILLIAM PRESTON,  
BERNARD ROW,  
WM. S. CHANDLER,  
WM. M. REYNOLDS,  
HENRY ENGLISH,  
WM. J. MCKAIG,  
JAMES YOUNG,  
JACOB R. WOODS,  
P. CHANDLER,

JOHN G. HICKS,  
AARON CONRAD,  
SPENCER CHANDLER,  
S. J. HORN,  
ROBT. H. LOGAN,  
SAMUEL BIDDLE,  
JNO. S. KERSEY,  
HENRY J. PICKELS,  
SAMUEL CATTS,  
WM. D. NOLAN,  
J. MAIRS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-sixth day of April, eighteen hundred and eighty-five, 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 Wheeling, this twenty-sixth day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### DECLARATION OF CHANGE OF NAME OF THE BIG SANDY CREEK OIL COMPANY.

I, Granville D. Hall, secretary of the state of West Virginia, do hereby certify that the president of "The Big Sandy Creek Oil Company," of the state of West Virginia, under his signature and the common seal of the corporation, has certified to me a resolution of the company changing the name thereof, accompanied with an affidavit of the truthfulness of the facts therein stated; which certificate is in the following words and figures:

"I, Patrick Brady, Esq., president of The Big Sandy Creek Oil Company, of the state of West Virginia, a company formed and incorporated under the provisions of the act of the legislature of said state, entitled 'An Act providing for the formation of Corporations, and regulating the same,' passed October twenty-sixth, eighteen hundred and sixty-three, in pursuance of the directions, and for the purpose, set forth in the thirteenth section of said act, do hereby certify that at a general meeting of the stockholders of the company, called in accordance with the provisions of the by-laws, and held on Thursday, the twentieth day of April, A. D., eighteen hundred and sixty-five, at eleven o'clock, A. M., at No. 619 Walnut street, in the city of Philadelphia, (at which meeting a quorum of the stockholders were present,) the following preamble and resolutions was unanimously adopted, to-wit:

"Whereas, the corporate name of the company as at present organized, was inserted in the certificate of association by error or mistake, to remedy which, be it

"Resolved, That the stockholders of The Big Sandy Creek Oil Company, of the state of West Virginia, desiring to change said name, and in pursuance of the directions of the thirteenth section of the act of the legislature of the state of West Virginia relating to corporations, passed October twenty-sixth, eighteen hundred and sixty-three, do change the name of the corporation to The Big Sand Creek Oil Company, of the state of West Virginia, and hereby state the same as the name by which it is intended the corporation shall be hereafter known.

"All of which I do hereby certify to the secretary of the state of West Virginia, as directed by the thirteenth (13) section of said act, to the end that the name of the present corporation may be changed to that of The Big Sand Creek Oil Company, of the state of West Virginia.

"Witness my signature and the common seal of the corporation known as 'The Big Sandy Creek Oil Company,' of the state of West Virginia, at Philadelphia, this twentieth day of April, A. D., eighteen hundred and sixty-five.

[Signed,]

P. BRADY, [L. S.]  
*President.*"



Whereupon, I do hereby declare that the said corporation known as "The Big Sandy Creek Oil Company," of the state of West Virginia, is to be hereafter known by the name so adopted by the stockholders, and that this certificate shall be received in all courts and places as legal evidence of the change of name herein specified.

Given under my hand and the great seal of the said state, at Wheeling, this twenty-sixth day of April, A. D., eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

### LEE CREEK OIL COMPANY.

I, Granville D. Hall, secretary 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 following words and figures:

"The undersigned agree to become a corporation by the name of 'Lee Creek Oil Company,' for the purpose of carrying on the business of mining for petroleum, coal, iron and other metals and minerals, in Wood county, in the state of West Virginia; which company shall keep its principal office or place of business in the city of Baltimore, in the state of Maryland, and its operative office on the land of the corporation in Wood county, in the state of West Virginia, and is to expire on the fourth day of February, one thousand eight hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of twenty-eight thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty-four thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred and twenty thousand dollars in all. The capital so subscribed is divided into shares of two dollars each, which are held by the undersigned, respectively, as follows, that is to say: by James Hooper, Baltimore county, Md., three thousand five hundred shares; by George Small, Baltimore city, Md., two thousand shares; by Samuel M. Shoemaker, Baltimore city, Md., fifteen hundred shares; by Benj. M. Hodges, jr., Baltimore city, Md., one thousand shares; by John M. Denison, Baltimore city, Md., two thousand shares; by Thos. Kemp, Baltimore city, Md., two thousand shares; by Chas. H. Mills, Baltimore city, Md., two thousand shares. And the capital hereafter to be sold is to be divided into shares of the like amount.

Given under our hands this fourth day of February, eighteen hundred and sixty-five.

[Signed.]

JAMES HOOPER,	[L. S.]
GEO. SMALL,	[L. S.]
S. M. SHOEMAKER.	[L. S.]
BENJ. M. HODGES, JR.,	[L. S.]
JOHN M. DENISON,	[L. S.]
THOMAS KEMP,	[L. S.]
C. H. MILLS.	[L. S.]

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the fourth day of February, eighteen hundred and eighty-five, 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 Wheeling, this twenty-seventh day of April, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

### SAND HILL AND MUD LICK OIL COMPANY.

I, Granville D. Hall, secretary 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 'Sand Hill and Mud Lick Oil Company,' of West Virginia, for the purpose of mining, pumping, or, by other means, procuring oil, gas and minerals, in the counties of Wood, Wirt and Ritchie, and state of West Virginia; and to buy, sell and to lease lands for and by the corporation and to others for a like object; and also to buy, sell, trade and deal in oils, and to store and transport the same, and to refine or cause the same to be refined; and, generally, to do and perform all matters and things needful and necessary or desirable in carrying on such business in oils or oil works, as well as to rent or erect and own machinery, tanks and other works for refining processes or otherwise. The place at which the said corporation shall keep its principal office or place of business, is at 423 Walnut street, city of Philadelphia, and state of Pennsylvania, and is to expire on the twenty-ninth day of April, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of thirty-seven thousand five hundred dollars to the capital thereof, and have paid in on the said subscriptions the sum of fifteen thousand 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 one dollar each, which are held by the undersigned, as follows, that is to say: by Norris W. Harkness, of the city of Philadelphia and state of Pennsylvania, twelve thousand five hundred shares; Michael Magee, of the city of Philadelphia and state of Pennsylvania, ten thousand shares; Thomas Craven, of the city of Philadelphia and state of Pennsylvania, five thousand shares; Christian Kneass, of the city of Philadelphia and state of Pennsylvania, twenty-five hundred shares; James R. Magee, of the city of Philadelphia and state of Pennsylvania, seven thousand five hundred shares. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands and seals this twenty-ninth day of April, one thousand eight hundred and sixty-five.

[Signed,]

NORRIS W. HARKNESS,	[L. S.]
MICHAEL MAGEE,	[L. S.]
THOS. CRAVEN,	[L. S.]
CHRISTIAN KNEASS,	[L. S.]
JAMES R. MAGEE.	[L. S.]

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the twenty-ninth day of April, eighteen hundred and eighty-five, 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 Wheeling, this first day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### THE RANDOLPH OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 Randolph Oil and Mining Co.,' of Chester county, for the purpose of mining or producing oil or petroleum in any or all the various ways in which it is produced or mined by companies of a similar character; or for mining any such minerals as may be found on the land owned by the corporation; and for the transporting and vending the oils or minerals so produced. The lands of said company being situate in Wood county, West Va., on the head waters of Walker's creek and Isaac's fork of Bull creek, stretching across the north-western turnpike at the sixteenth mile post east from Parkersburg, containing two hundred and twenty-four acres. The corporation shall keep its principal office or place of business at Oxford, Chester county, Pa., and is to expire on the eighth day of April, eighteen hundred and eighty-five. And for the purpose of forming said corporation, we have subscribed the sum of one hundred and thirty thousand dollars to the capital thereof, and have paid in on said subscription the sum of thirty-two thousand dollars. The capital so subscribed is divided into shares of one dollar each, which are held by the undersigned: Chas. K. McDonald, Oxford, Pa., twenty-six thousand shares; Geo. A. Newbold, Kennett Square, twenty-six thousand shares; Josiah Phillips, Kennett Square, twenty-six thousand shares; Joseph T. Reynolds, Oxford, twenty-six thousand shares; Robert Hodgson, Oxford, twenty-six thousand shares.

Given under our hands and seals, this eighth day of April, one thousand eight hundred and sixty-five.

[Signed,]

C. K. McDONALD,	[L. S.]
GEO. A. NEWBOLD,	[L. S.]
JOSIAH PHILLIPS,	[L. S.]
JOSEPH T. REYNOLDS,	[L. S.]
ROBERT HODGSON.	[L. S.]

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the eighth day of April, eighteen hundred and eighty-five, 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 Wheeling, this second day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

McKIM CREEK OIL COMPANY.

I, Granville D. Hall, secretary 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:

"To all whom it may concern: Be it known that the undersigned hereby agree to become a corporation by the name, style and title of the 'McKim Creek Oil Company,' of West Virginia, for the purpose of boring or mining for petroleum or rock oil, or coal, to be prepared for market; which corporation shall keep its principal office in the city of Philadelphia, in the state of Pennsylvania, and its business to be carried on in the county of Pleasants, in the state of West Virginia, and is to expire on the first day of May, in the year of our Lord, one thousand eight hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of four hundred thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of forty thousand dollars; and desire the privilege of increasing the said capital by sales of additional shares, from time to time, as may be deemed expedient, to the sum of six hundred thousand dollars in all. The capital so subscribed is divided into shares of the value of one dollar each, which are held by the undersigned, respectively, as follows, that is to say: by William S. Forbes, fifty-eight thousand (58,000) shares; John Stillman, fifty-seven thousand (57,000) shares; John P. Simons, fifty-seven thousand (57,000) shares; John C. Sims, fifty-seven thousand (57,000) shares; George Miller, fifty-seven thousand (57,000) shares; John M. Wilson, fifty-seven thousand (57,000) shares; J. Alexander Simpson, fifty-seven thousand (57,000) shares; all of whom reside in the city of Philadelphia and 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 twenty-seventh day of April, in the year of our Lord, one thousand eight hundred and sixty-five.

[Signed,]

WM. S. FORBES,	[L. S.]
JOHN STILLMAN,	[L. S.]
JOHN P. SIMONS,	[L. S.]
JOHN C. SIMS,	[L. S.]
GEORGE MILLER,	[L. S.]
JOHN M. WILSON,	[L. S.]
J. ALEXANDER SIMPSON,	[L. S.]

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of May, eighteen hundred and eighty-five, 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 Wheeling, this second day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## KEARSARGE OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 following words and figures:

"The undersigned agree to become a corporation by the name of 'Kearsarge Oil and Mining Company,' for the purpose of mining or producing oil, or petroleum in any or all of the various ways in which it is produced or mined by companies of a similar character, or for mining any such minerals as may be found on the land owned by the corporation; and for the transporting and vending the oil or minerals so procured. The lands of said corporation being situate in Wood county, West Virginia, on the headwaters of Stillwell creek, about twelve miles east from Parkersburg, and embracing a tract of land containing two hundred and fifty-six acres. The corporators shall keep its principal place of business at Kennett Square, Chester county, Pennsylvania, and is to expire on the fourth day of April, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and forty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of thirty thousand dollars. The capital so subscribed is divided into shares of one dollar each, which are held by the undersigned, respectively, as follows: J. Carpenter Worth, Oxford, Chester county, Pennsylvania, twenty-three thousand three hundred and twenty-five shares; Josiah Jackson, Kennett Square, Chester co., Pa., twenty-three thousand three hundred and thirty-five shares; Norris Bernard, Elk View, Chester co., Pa., twenty-three thousand three hundred and thirty-five shares; Charles Dinee, Kennett Square, Chester co., Pa., twenty-three thousand three hundred and thirty-five shares; Dr. D. W. Hutchison, Oxford, Chester co., Pa., twenty-three thousand three hundred and thirty-five shares; Pusey J. Nichols, Oxford, Chester co., Pa., twenty-three thousand three hundred and thirty-five shares.

Given under our hands this fourth day of April, eighteen hundred and sixty-five.

[Signed,]

J. CARP. WORTH,  
 JOSIAH JACKSON,  
 NORRIS BARNARD,  
 CHAS. DINGEE,  
 D. W. HUTCHISON,  
 PUSEY J. NICHOLS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the fourth day of April, eighteen hundred and eighty-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, at Wheeling, this second day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
 Secretary of the State.

## GRAND CENTRAL BELT OIL COMPANY.

I, Granville D. Hall, secretary 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 'Grand Central Belt Oil Company,' for the purpose of boring, mining and producing petroleum or rock oil, salt water and other minerals; which corporation shall keep its principal office for transaction of business, at Wirt Court House, Wirt county, West Virginia, branch office at Greensburg, Westmoreland county, Pennsylvania, and is to expire on the first day of April, A. D., eighteen hundred and eighty-five. And for the purpose of forming said corporation we have subscribed the sum of one hundred thousand (100,000) dollars to the capital thereof, and have paid in on said subscription the sum of twenty thousand (20,000) dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to one hundred and twenty thousand (120,000) dollars in all. The capital so subscribed is divided into twenty thousand (20,000) shares of five (5) dollars each, which are held by the undersigned respectively, as follows: that is to say, Henry J. Lomison, Greensburg, Pa., five hundred shares; James R. McAfee, Greensburg, Pa., five hundred shares; James A. Hunter, Greensburg, Pa., five hundred shares; Caleb A. Steck, Greensburg, Pa., five hundred shares; David W. Shryock, Greensburg, Pa., five hundred shares; Richard Jackson, Greensburg, Pa., five hundred shares; Wm. Steel, Greensburg, Pa., five hundred shares; Wm. Robinson, Greensburg, Pa., two hundred and fifty shares; James Stewart, Greensburg, Pa., two hundred and fifty shares; Jacob Kepple, Haney's Five Points, Pa., five hundred shares; Robert Henry, Haney's Five Points, Pa., five hundred shares; James Buchanan, Haney's Five Points, Pa., five hundred shares; John Ralston, Haney's Five Points, Pa., two hundred and fifty shares; James G. McQuaid, Philadelphia, Pa., five hundred shares; Benton K. Jamison, Philadelphia, Pa., five hundred shares; John Sherrick, Mt. Pleasant, Pa., five hundred shares; Samuel M. Sparks, Mt. Pleasant, Pa., five hundred shares; Benjamin Shallenbarger, Mt. Pleasant, Pa., two hundred and fifty shares; A. H. Stouffer, Mt. Pleasant, Pa., two hundred and fifty shares; Wm. T. Nichols, Mt. Pleasant, Pa., two hundred and fifty shares; Samuel Waddell, Saltsburg, Pa., five hundred shares; David S. Robinson, Saltsburg, Pa. five hundred shares, And. Johnson, Saltsburg, Pa., five hundred shares; Wm. J. Robinson, Saltsburg, Pa., five hundred shares; Wm. B. Snodgrass, Saltsburg, Pa., five hundred shares; Wm. C. Robinson, Saltsburg, Pa., one hundred and twenty-five shares; Wm. McQuiston, Saltsburg, Pa., one hundred and twenty-five shares; Jno. M. Robinson, Saltsburg, Pa., two hundred and fifty shares; Jno. K. Robinson, Saltsburg, Pa., two hundred and fifty shares; David Henderson, Saltsburg, Pa., five hundred shares; E. Finley Houseman, Postraver, Pa., five hundred shares; Jasper M. Thompson, Uniontown, Pa., five hundred shares; George E. Smith, Kent, Pa., five hundred shares; Noah M. Marker, Ligonier, Pa., five hundred shares; James Calden, Harrisburg, Pa., five hundred shares; Jonas Ruff, Mt. Pleasant, Pa., five hundred shares; George Mason, New Alexandria, two hundred and fifty shares; Joseph W. Blackburn, West Newton, five hundred shares; Jesse Freis West Newton, five hundred

shares; James A. Dick, West Newton, five hundred shares; Samuel N. Coldsmith, West Newton, five hundred shares; Henry Crowshare West Newton, seven hundred and fifty shares; Geo. Plumer, West Newton, five hundred shares; Robert T. Foote, West Newton, five hundred shares; Jacob F. Kreps, West Newton, five hundred shares; John W. Kreps, West Newton, five hundred shares; and the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands, this fourteenth day of March, A. D. eighteen hundred and sixty-five.

[Signed,]

HENRY G. LOMISON,	DAVID S. ROBINSON,
J. R. MCAFEE,	ANDREW JOHNSON,
JAMES A. HUNTER,	WM. J. ROBINSON,
CALEB A. STECK.	WM. B. SNODGRASS,
DAVID W. SHRYOCK,	W. C. ROBINSON,
RICHARD JACKSON,	WM. MCQUESTON,
WM. STEEL,	JOHN M. ROBINSON,
WM. ROBINSON,	JOHN R. ROBINSON,
JAMES STEWART,	DAVID HENDERSON,
JACOB KEPPLER,	E. F. HOUSEMAN,
ROBERT HENRY,	J. M. THOMPSON,
JAS. BUCHANAN,	GEO. E. SMITH,
JOHN RALSTON,	N. M. MARKER,
J. G. MCQUAID,	JAS. CALDER,
B. K. JAMISON,	JONAS RUFF,
JNO. SHERRICK,	GEORGE MASON,
S. M. SPARKS,	J. W. BLACKBURN,
B. SHALLENBERGER,	JESSE FRIES,
A. N. STAUFFER,	JAS. A. DICK,
W. L. NICCULLS,	R. J. FOOTE,
SAMUEL COLDSMITH,	JACOB F. KREPS,
GEO. PLUMER,	JOHN W. KREPS."
SAMUEL WADDLE,	

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of April, eighteen hundred and eighty-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, at Wheeling, this second day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### BRANDY GAP OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 Brandy Gap Oil and Mining Company,' for the purpose of boring and excavating for oil and such minerals, as may be obtained on the lands of said

company, consisting of about twelve hundred acres, situate in Harrison county, West Virginia; which corporation shall keep its principal office or place of business at Clarksburg, in the county of Harrison, and is to expire on the first day of May, eighteen hundred and eighty-four. 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 sales 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, that is to say: David B. McKinney, of Wirt County, W. Va., ten shares; John C. Vance, of Wirt county, W. Va., ten shares; John R. Boggess, Harrison county, W. Va., ten shares; J. L. Carr, of Harrison county, W. Va., ten shares; J. M. Boccock, of Harrison 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 twenty-second day of April, eighteen hundred and sixty-five.

[Signed,]

DAVID B. MCKINNEY,  
JOHN C. VANCE,  
JOHN R. BOGGESS,  
J. L. CARR,  
J. M. BOCCOCK."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of May, eighteen hundred and eighty-four, 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 Wheeling, this third day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### WHEELING HINGE AND TACK FACTORY.

I, Granville D. Hall, secretary 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 Hinge and Tack Factory,' for the purpose of mining ore and manufacturing the same into hinges and tacks, and other manufactures of iron; for the purpose of mining coal and transporting the same; for mining salt, petroleum or rock oil; and for the manufactures of wood; which corporation shall keep its principal office or place of business in Wheeling, in the county of Ohio and state of West Virginia, and is to expire on the first day of May, A. D., eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of eleven thousand dollars to the capital stock thereof, and have paid on said subscriptions the sum of eleven hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to one hundred and fifty



thousand dollars in all. The capital stock subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows: by Joseph A. Metcalf, of Wheeling, twenty shares, two thousand dollars; by Samuel Laughlin, of Wheeling, twenty shares, two thousand dollars; A. W. Campbell, of Wheeling, ten shares, one thousand dollars; David Wagener, of West Wheeling, (Ohio,) twenty shares, two thousand dollars; Augustus Campbell, of Wheeling, ten shares, one thousand dollars; John F. McDermot, of Wheeling, ten shares, one thousand dollars; A. G. Robinson, of Wheeling, ten shares, one thousand dollars; David E. Donnell, of Wheeling, ten shares, one thousand dollars; and the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this first day of May, eighteen hundred and sixty-five.

[Signed,]

JOSEPH A. METCALF,  
SAMUEL LAUGHLIN,  
JOHN F. McDERMOT,  
DAVID WAGENER,  
ALEXANDER ROBINSON,  
AUGUSTUS CAMPBELL,  
A. W. CAMPBELL,  
D. E. DONNELL."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of March, eighteen hundred and eighty-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, at Wheeling, this third day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### KANAWHA AND HUGHES RIVER TELEGRAPH COMPANY.

I, Granville D. Hall, secretary 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 Hughes River Telegraph Company,' of West Virginia, for the purpose of erecting, constructing and operating a telegraph line, with one or more wires, and all necessary appliances for the proper maintenance and use of the same (and the connection of the same with the wire or wires of other companies,) from Parkersburg, in the state of West Virginia, up the Little Kanawha and the Hughes' rivers, or to any point on their tributaries, by or along such roads or highways and by such route as the directors may deem most expedient; which corporation shall keep its principal office or place of business at Parkersburg, in the county of Wood, W. Va., and is to expire on the thirty-first day of March, A. D., eighteen hundred and eighty-five. 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, (being ten per cent upon the capital,) 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 A. J. Baldwin, Philadelphia, Penna., one hundred shares; W. H. Fairbank, Warren, Mass., one hundred shares; Elihu Pedrick, Philadelphia, Penna., one hundred shares; Alexander H. Pedrick, Philadelphia, Penna., one hundred shares; James L. Shaw, Philadelphia, Penna., one hundred shares; (five hundred shares.) And the capital stock hereafter sold is to be divided into shares of like amount.

Given under our hands this thirteenth day of April, A. D., eighteen hundred and sixty-five.

[Signed,]

A. J. BALDWIN,  
W. H. FAIRBANK,  
ELIHU PEDRICK,  
ALEXANDER K. PEDRICK,  
JAMES L. SHAW."

Wherefore, the corporators named in the said agreement and who have signed the same, are hereby declared to be from this date until the thirty-first day of March, eighteen hundred and eighty-five, 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 Wheeling, this sixteenth day of May, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

#### THE WHEELING FEMALE COLLEGE.

I, Granville D. Hall, secretary 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 Female College,' for the purpose of establishing and carrying on in the city of Wheeling, a college for the education of females; which corporation shall keep its principal place of business in the said city, in the county of Ohio. 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 the said subscription the sum of one thousand dollars, and desire the privilege of increasing the said capital, from time to time, by the sale of additional shares, to thirty thousand dollars. The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows: Daniel C. List, twenty shares; Henry K. List, twenty; Chester D. Hubbard, ten; Benjamin Davenport, one; Joseph A. Metcalf, one; Thomas H. Logan, one; John R. Hubbard, one; Henry B. Hubbard, one; William Tallant, one; John E. Wilson, one; Morgan L. Ott, one; James Maxwell, one; Jacob S. Rhodes, one; Thomas Hornbrook, five; George K. Wheat, one; John Donlon, one; James Reed, one; James

C. Orr, one; John McLure, jr., one; Joshua Bodley, one; James M. Dillon, one; John List, ten; Samuel Mason, one; Elijah J. Stone, one; James N. Vance, one; Joseph Bell, one; Jacob Berger, one; George R. Taylor, one; Joseph B. Ford, one; William B. Simpson, one; Jacob Hornbrook, one; James S. Porter, one; Andrew J. Sweeney, one; Archibald M. Adams, one; Arthur Little, one; William Busbey, one; Edward Reid, one; Alexander Turner, one; William Carnahan, one, and Robert Morrison, one; all of which corporators reside in the said city of Wheeling. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this tenth day of April, eighteen hundred and sixty-five.

[Signed,]

D. C. LIST,

HENRY K. LIST,

By B. Davenport, attorney in fact.

CHESTER D. HUBBARD,

BENJ. DAVENPORT,

JOS. A. METCALF,

THOMAS H. LOGAN,

JOHN R. HUBBARD,

HENRY B. HUBBARD,

W. TALLANT,

JOHN E. WILSON,

M. L. OTT,

JAS. MAXWELL,

J. S. RHODES,

THOS. HORNbrook,

GEO. K. WHEAT,

JOHN DONLON,

JAMES REED,

J. C. ORR,

JNO. MCLURE, JR.,

JOSHUA BODLEY,

JAMES M. DILLON,

ROBT. MORRISON,

JOHN LIST,

By B. Davenport, attorney in fact.

SAML. MASON,

E. J. STONE,

J. N. VANCE,

By J. D. Culbertson, attorney in fact.

JACOB BERGER,

By C. D. Hubbard, attorney in fact.

JOSEPH BELL,

GEO. R. TAYLOR,

J. B. FORD,

W. B. SIMPSON,

JACOB HORNbrook,

JAMES S. PORTER,

A. J. SWEENEY,

A. M. ADAMS,

ARTHUR LITTLE,

WILLIAM BUSBEY,

By C. D. Hubbard, attorney in fact.

EDWARD REID,

A. TURNER,

WILLIAM CARNAHAN."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the eighteenth day of May, eighteen hundred and eighty-five, 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 Wheeling, this eighteenth day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE WEST VIRGINIA OIL AND MINING COMPANY OF WIRT COUNTY.

I, Granville D. Hall, Secretary 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 and Mining Company of Wirt County,' for the purpose of mining and boring for petroleum or rock oil, coal oil or such as is known as

carbon oil, salt, lead, coal and antimony; which corporation shall keep its principal office at the city of Buffalo, in the county of Erie, in the state of New York, and is to expire on the first day of May, eighteen hundred and eighty-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 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 William A. Bird, jr., of Buffalo, N. Y., twenty shares; George C. Webster, of Buffalo, N. Y., twenty shares; S. Douglas Cornell, of Buffalo, N. Y., ten shares; John Hubbell, of Buffalo, N. Y., twenty shares; Lyman Bradley, of Buffalo, N. Y., twenty shares; Galusha Parsons, of Buffalo, N. Y., ten shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this fifteenth day of May, eighteen hundred and sixty-five.

[Signed,]

WM. A. BIRD,  
S. DOUGLAS CORNELL,  
JOHN HUBBELL,  
GEORGE C. WEBSTER,  
LYMAN BRADLEY,  
GALUSHA PARSONS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of May, eighteen hundred and eighty-five, 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 Wheeling, this twenty-second day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### FRENCH CREEK AND NEWELL'S RUN OIL COMPANY OF WEST VIRGINIA AND OHIO.

I, Granville D. Hall, secretary 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 under the law of the state of West Virginia, passed October the twenty-sixth, Anno Domini, one thousand eight hundred and sixty-three, and the supplement thereto, passed February the third, Anno Domini, one thousand eight hundred and sixty-five, by the name of the 'French Creek and Newell's Run Oil Company of West Virginia and Ohio,' for the purpose of purchasing and leasing lands in Pleasants county and elsewhere in the said states of West Virginia and Ohio, and of boring, excavating and mining the same to procure petroleum, rock or carbon oils, or other minerals, and to refine, sell, trade or deal in the same; and, generally, to do and perform all matters and things needful, necessary or desirable in carrying on such business in oils or oil works. The said corporation shall keep its

principal office or place of business in the city of Philadelphia, and state of Pennsylvania, and is to expire on the tenth day of May, Anno Domini, one thousand eight hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and sixty 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 the said capital by sales of additional shares, from time to time, to three hundred and twenty thousand dollars in all. The capital so subscribed is divided into shares of two dollars each, which are held by the undersigned, respectively, as follows, that is to say: by Hugh Wilson, sixteen thousand (16,000) shares; Henry Wilson, sixteen thousand (16,000) shares; William J. Bell, sixteen thousand (16,000) shares; Henry Kucher, sixteen thousand (16,000) shares; Charles B. Roberts, sixteen thousand (16,000) shares; all residents of the city of Philadelphia. The capital hereafter sold is to be divided into shares of like amount.

In witness whereof, the said Hugh Wilson, Henry Wilson, William J. Bell, Henry Kucher and Charles B. Roberts have hereunto set their hands and seals, this tenth day of May, Anno Domini, one thousand eight hundred and sixty-five (A. D., 1865.)

[Signed with seals,]

HUGH WILSON,  
HENRY WILSON,  
WILLIAM J. BELL,  
HENRY KUTCHER,  
CHARLES B. ROBERTS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the tenth day of May, eighteen hundred and eighty-five, 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 Wheeling, this twenty-fifth day of May, one thousand eight hundred and sixty-five (A. D., 1865.)

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### COMMONWEALTH OIL COMPANY OF WEST VIRGINIA.

I, Granville D. Hall, secretary 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 following words and figures:

"City, County and State of New York, ss: The undersigned hereby agree to become a corporation (under and by virtue of the provisions of the act entitled 'An Act providing for the formation of corporations, and regulating the same,' passed by the legislature of West Virginia, October twenty-sixth, A. D., eighteen hundred and sixty-three,) under the name of the 'Commonwealth Oil Company of West Virginia,' for the purpose of raising and refining petroleum. Said corporation to 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 March, in the year one thousand eight hundred

and eighty-five. 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 thirty-five thousand dollars in cash, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to four hundred thousand dollars in all. The capital so subscribed is divided into twenty thousand shares of ten dollars each, which are held by the undersigned, respectively, as follows: that is to say, by Herman Stursberg, of 97 Reade street, in the city of New York, ten thousand shares; by Edward Willis, of No. 3 Gramercy Park, in said city, twenty-five hundred shares; by Walter Brady, of No. — Fifth Avenue, in said city, twenty-five hundred shares; by Amanda Jerrard, of One Hundred and Sixteenth street, Harlem, New York, twelve hundred and fifty shares; and by Henry Baldwin, jr., of No. 249 North Eighteenth street, in the city of Philadelphia, and state of Pennsylvania, thirty-seven hundred and fifty shares. And the capital (if increased,) to be hereafter sold is to be divided into shares of like amount.

Given under our hands, at the city of New York aforesaid, this third day of March, in the year one thousand eight hundred and sixty-five.

H. STURSBURG,  
HENRY BALDWIN, JR.,  
EDWARD WILLIS,  
WALTER BRADY,  
AMANDA JERRARD."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of March, eighteen hundred and eighty-five, a corporation by the name and for the purposes set forth in the said agreement.

Given under my band and the great seal of the said state, at Wheeling, this twenty-fifth day of May, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

#### GOOSE CREEK OIL COMPANY.

I, Granville D. Hall, secretary of the state of West Virginia, hereby certify that a certificate duly authenticated, has been this day delivered to me; which certificate is in the words and figures following:

"At a general meeting of the stockholders of the Goose Creek Oil Company, held on the sixth day of April, eighteen hundred and sixty-five, at their principal office, in the city of Wheeling, West Virginia, a resolution, whereof the following is a true copy, was unanimously adopted:

"Resolved, That the par value of the shares of the capital stock of this company be and is hereby reduced from fifty dollars per share, to ten dollars per share.

"I, Chester D. Knox, president of the Goose Creek Oil Company, hereby certify the foregoing to the secretary of the state of West Virginia, in order that the same may be certified and recorded according to law.

"Given under my hand and the official seal of the company, this twenty-sixth day of May, eighteen hundred and sixty-five.

[Signed,]

CHESTER D. KNOX, [L. S.]  
*President.*"

Wherefore, it is hereby declared, that the par value of the shares of the capital stock of the Goose Creek Oil Company, is by authority of law reduced to ten dollars per share; so that the said capital stock is hereafter to consist of three thousand shares of ten dollars each.

Given under my band and the great seal of the said state, at Wheeling, this twenty-sixth day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
Secretary of the State.

#### CARPENTER'S RUN OIL COMPANY.

I, Granville D. Hall, secretary 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 'Carpenter's Run Oil Company,' for the purpose of mining or boring for petroleum and such other minerals as may be found upon the land owned by them, or which they may lease, or in any way become entitled to develop or use for such purpose. Which corporation shall keep its principal office or place of business in the city of Philadelphia, county of Philadelphia, commonwealth of Pennsylvania, and is to expire on the twentieth day of April, A. D., one thousand eight hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of twenty-four thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of fifteen thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to forty-four 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 Samuel M. Cleveland, of the city and county of Philadelphia, commonwealth of Pennsylvania, sixteen hundred shares; by Joseph P. Cotton, of the same place, sixteen hundred shares; by David Brokensha, of the same place, eight hundred shares; by James Montgomery, of the same place, sixteen hundred shares; by Cyrus Phillips, of the same place, eight hundred shares; by William Thorne, of the same place, eight hundred shares; by William G. Lamb, of the same place, eight hundred shares; by Henrietta Baker, of the same place, (*feme sole.*) eight hundred shares; by Isaac S. Sharp, of the same place, sixteen hundred shares; by Philip M. Shults, of the same place, eight hundred shares: by Napoleon B. Bruce, of the town of Marietta, county of Washington, state of Ohio, twelve thousand shares; by William S. Holmes, of the same place, eight hundred 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 April, eighteen hundred and sixty-five.

[Signed with seals,] SAM'L M. CLEVELAND, WM. G. LAMB,  
JOSEPH P. CATON, HENRIETTA BAKER,  
DAVID BROKENSHA, J. S. SHARP,  
JAMES MONTGOMERY, PHILIP M. SHULTS,  
CYRUS PHILLIPS, NAPOLEON B. BRUCE,  
WM. THORNE, WM. S. HOLMES."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twentieth day of April, eighteen hundred and eighty-five, 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 Wheeling, this twenty-seventh day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### MILL CREEK CANNEL COAL AND OIL COMPANY.

I, Granville D. Hall, secretary 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 Cannel Coal and Oil Company,' for the purpose of mining coal and manufacturing and producing oil, and developing the other mineral resources of the land in the county of Kanawha, in West Virginia, on and near Mill Creek, a tributary of Elk river, and doing other business incident thereto. Which corporation shall keep its principal office or place of business on the land of said company, in the county of Kanawha, and is to expire on the twenty-fifth day of May, eighteen hundred and eighty-five. And for the purpose of forming the said corporation we have subscribed the sum of one hundred and twenty-five thousand dollars, and we have paid in on said subscriptions the sum of one hundred and forty thousand dollars, and desire the privilege of increasing the said capital by sales 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 Ebenezer R. Hoar, of Concord, in the commonwealth of Massachusetts, seven hundred and fifty shares; Cyrus Woodman, of Cambridge, in said commonwealth, one hundred and fifty shares; George O. Shattuck, of Boston, in said commonwealth, three hundred shares; Robert Morris Copeland, of West Castleton, in the state of Vermont, two hundred shares; and John W. Finnell, of Covington, in the state of Kentucky, two hundred and thirty shares. 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 May, eighteen hundred and sixty-five.

[Signed,]

EBENEZER R. HOAR,  
CYRUS WOODMAN,  
GEO. SHATTUCK,  
ROBT. MORRIS COPELAND,  
JNO. W. FINNELL."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the twenty-fifth day of May, eighteen hundred and eighty-five, 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 Wheeling, this twenty-ninth day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*



THE HUGHES RIVER AND ISLAND RUN OIL COMPANY OF  
WEST VIRGINIA.

I, Granville D. Hall, secretary 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 Hughes River and Island Run Oil Company, of West Virginia,' for the purpose of developing, improving, mining and boring certain lands in West Virginia, to procure minerals and carbon oils, which are in or under said lands, and to manufacture, refine, sell and convey the products to market ; 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 April, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of fifteen thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of seven thousand five hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to 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 George Sturges, Philadelphia, two hundred shares ; Florimond D. Sherman, Philadelphia, two hundred shares ; Wm. W. Fulton, Philadelphia, two hundred shares, Josiah L. Haines, Philadelphia, two hundred shares ; Barton Hoopes, Philadelphia, two hundred shares ; Samuel S. Townsend, Philadelphia, two hundred shares ; Thomas Stillman, Philadelphia, two hundred shares ; Edward Hoopes, Philadelphia, one hundred shares ; and the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands and seals this twenty-eighth day of April, eighteen hundred and sixty-five.

[Signed with seals,]

GEO. STURGES,  
F. D. SHERMAN,  
W. W. FULTON,  
J. L. HAINES,  
BARTON HOOPES,  
S. S. TOWNSEND,  
THOMAS STILLMAN,  
EDWARD HOOPES."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of April, eighteen hundred and eighty-five, 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 Wheeling, this thirtieth day of May, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## NORWAY IRON TACK FACTORY.

I, Grauville D. Hall, secretary 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 Norway Iron Tack Company,' for the purpose of mining or purchasing ore, and manufacturing the same into hinges and tacks, and other manufactures of iron; for the purpose of mining coal and transporting the same; for mining salt, petroleum or rock oil, and for the manufacture of wood; 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 twenty-fourth day of May, one thousand eight hundred and eighty five. And for the purpose of forming the said corporation we have subscribed the principal sum of fourteen thousand dollars to the capital stock thereof, and have paid in on said subscriptions the sum of seven thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to one hundred and fifty thousand dollars in all. The capital stock subscribed is divided into shares of five hundred dollars each, which are held by the undersigned, respectively, as follows: by Jacob Harlan, of Wheeling; West Virginia, two shares, one thousand dollars; by Charles Bowman, of Wheeling, West Virginia, four shares, two thousand dollars; by Oliver Blackburn, of Wheeling, West Virginia, two shares, one thousand dollars: by Albert L. Wetherald, of Wheeling, West Virginia, two shares, one thousand dollars; by Josiah C. Van Fossen, of Wheeling, West Virginia, two shares, one thousand dollars; by Alexander C. Quarrier, of Wheeling, West Virginia, six shares; three thousand dollars; and by Orville C. Dewey, of Wheeling, West Virginia, ten shares, five thousand dollars. And the capital stock to be hereafter sold is to be divided into shares of like amount.

Given under our hands this twenty-fourth day of May, eighteen hundred and sixty-five.

[Signed,]

JACOB HARLAN,  
CHARLES BOWMAN,  
OLIVER BLACKBURN,  
A. L. WETHERALD,  
J. C. VAN FOSSEN,  
A. C. QUARRIER,  
O. C. DEWEY."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the twenty-fourth day of May, eighteen hundred and eighty-five, 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 Wheeling, this thirty-first day of May, eighteen hundred and sixty-five.

SEAL.

GRAUVILLE D. HALL,  
*Secretary of the State.*

## LEE AND POND CREEK OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 under the name of the 'Lee and Pond Creek Oil and Mining Company,' of West Virginia, for the purpose of producing and manufacturing in Wood county, West Virginia,, petroleum oil and all its products; and for the further purpose of manufacturing any articles that may be necessary to its production, retention, transportation or sale, and for such other purposes as shall be necessary; which corporation shall keep its principal office or place of business at Philadelphia, in the state of Pennsylvania, and is to expire on the twenty-seventh day of May, Anno Domini, one thousand eight hundred and eighty-five. 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 the said subscription the sum of seventeen thousand dollars. 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 Joseph C. Vankirk, of the city of Philadelphia, sixteen thousand six hundred and sixty-seven shares; Edward Hayes, of the same city, sixteen thousand six hundred and sixty-seven shares; William Kedward, of the same city, sixteen thousand six hundred and sixty-seven shares; James C. Bechtel, of the same city, sixteen thousand six hundred and sixty-seven shares; Wilson Welsh, of the same city, sixteen thousand six hundred and sixty-seven shares; and William Barnard, of the same city, sixteen thousand six hundred and sixty-seven shares. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this twenty-seventh day of May, in the year of our Lord, one thousand eight hundred and sixty-five.

[Signed with seals,]

JOSEPH T. VANKIRK,  
EDWARD HAYES,  
WILLIAM KEDWARD,  
JAMES C. BECHTEL,  
WILSON WELSH,  
WILLIAM BARNARD."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-seventh day of May, eighteen hundred and eighty-five, 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 Wheeling, this thirty-first day of May, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

THE MARROWBONE OIL AND MINING COMPANY OF WEST VIRGINIA.

I, Granville D. Hall, secretary 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 Marrowbone Oil and Mining Company of West Virginia,' for the purpose (having become the owners of a certain tract of land known as the Marrowbone tract, situated at and about the mouth of Marrowbone Creek, on the Tug Fork of Big Sandy river, in Logan and Wayne counties, West Virginia, containing four hundred and thirty-five acres, more or less,) of mining, leasing and selling the tract of land aforesaid, or any part of it, and more especially for the purpose of boring and mining for petroleum and other minerals which may be found on said tract of land; and the taking, receiving and vending petroleum in its crude state: the refining the same, and vending it when so refined: and the purchasing and holding such further real estate and capital property as may be necessary and lawful for the proper transaction of its business. Which corporation shall keep its principal office or place of business on the premises aforesaid, in the county of Logan, and is to expire on the second day of June, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of two hundred and fifty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of two hundred and fifty thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to the sum of three hundred thousand dollars in all. The capital so subscribed is divided into shares of two dollars each, which are held by the undersigned, respectively, as follows, that is to say, by George Merrill, Lewisburg, Pennsylvania, twenty thousand shares; William Leiser, Lewisburg, Pennsylvania, twenty-five thousand shares; Alan Shoemaker, Lewisburg, Pennsylvania, thirty thousand shares; John H. Goodman, Lewisburg, Pennsylvania, thirty-five thousand shares; John A. Owens, Lewisburg, Pennsylvania, fifteen thousand shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our bands and seals, this ninth day of May, eighteen hundred and sixty-five.

[Signed with seals,]

JOHN H. GOODMAN,  
ALAN SHOEMAKER,  
JOHN A. OWENS,  
GEORGE MERRILL,  
WJ. LEISER."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the second day of June, eighteen hundred and eighty-five, 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 Wheeling, this second day of June, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
Secretary of the State.

THE GREAT KANAWHA PETROLEUM, COAL AND LUMBER COMPANY.

I, Granville D. Hall, secretary 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 Petroleum, Coal and Lumber Company,' for the purpose of mining for petroleum or rock oil, coal oil, coal, iron ore and salt; of manufacturing oil from cannel coal; and of manufacturing lumber, on a tract or tracts of land in Kanawha county, in the state of West Virginia; which corporation shall keep its principal office or place of business in the borough of Pottsville, in the county of Schuylkill, and state of Pennsylvania, and is to expire on the first day of May, A. D., eighteen hundred and eighty-five. 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 subscription, the sum of ten thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to four hundred thousand dollars in all. The capital so subscribed is divided into shares of two dollars each, which are held by the undersigned, respectively, as follows: that is to say, by Benjamin Bannan, Pottsville, Pennsylvania, five thousand shares; Frederick Patterson, Pottsville, Pennsylvania, five thousand shares; John S. Graham, Pottsville, Pennsylvania, five thousand shares; William E. Boyer, Pottsville, Pennsylvania, five thousand shares; John W. Roseberry, Pottsville, Pennsylvania, five thousand shares; Lawrence F. Whitney, Pottsville, Pennsylvania, five thousand shares; James S. Carpenter, Pottsville, Pennsylvania, five thousand shares; James J. Conner, Pottsville, Pennsylvania, five thousand shares; Jos. S. Patterson, Pottsville, Pennsylvania, seven thousand five hundred shares; Henry K. Nichols, Pottsville, Pennsylvania, two thousand five hundred shares; Marcus G. Heilner, Pottsville, Pennsylvania, five thousand shares; Lefer Womelsdorf, Pottsville, Pennsylvania, five thousand shares; Charles W. Pitman, Pottsville, Pennsylvania, five thousand shares; David Percy Brown, Pottsville, Pennsylvania, five thousand shares; Theodore Garretson, Pottsville, Pennsylvania, five thousand shares; Oliver Dobson, Pottsville, Pennsylvania, two thousand five hundred shares; Emanuel Bast, Ashland, Pennsylvania, ten thousand shares; David L. Esterly, Pottsville, Pennsylvania, two thousand five hundred shares; James Matter, Pottsville, Pennsylvania, five thousand shares; George W. Bell, Pottsville, Pennsylvania, two thousand five hundred shares; Thomas Gorman, Port Carbon, Pennsylvania, two thousand five hundred shares. 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., eighteen hundred and sixty-five.

[Signed,]

BENJ. BANNAN,  
FREDK. PATTERSON,  
JOHN S. GRAHAM,  
WM. E. BOYER,  
J. W. ROSEBERRY,  
L. F. WHITNEY,  
JAMES S. CARPENTER,  
JAS. J. CONNER,  
JOSEPH S. PATTERSON,  
H. K. NICHOLS,  
M. G. HEILNER,

LEFEVER WOMELSDORF,  
CHARLES W. PITMAN,  
DAVID P. BROWN,  
THEO. GARRETSON,  
OLIVER DOBSON,  
EMANUEL BAST,  
DANIEL L. ESTERLY,  
JAMES MATTER,  
GEORGE W. BELL,  
THOS. GORMAN.

. Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of May, eighteen hundred and eighty-five, 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 Wheeling, this ninth day of June, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

### THE GILMORE PETROLEUM COMPANY.

I, Granville D. Hall, secretary 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 Gilmore Petroleum Company,' for the purpose of buying and leasing of oil territory; for boring, excavating and mining for petroleum, rock oil or carbon oil, and buying and selling the same. Which corporation shall keep its principal office or place of business in the city of New York, in the state of New York, and is to expire on the sixteenth day of June, A. D., eighteen hundred and eighty-five, to-wit: at the expiration of twenty years from the date of their certificate of incorporation. And 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 the said subscription the sum of fifty 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 Joseph A. Gilmore, of Concord, in the state of New Hampshire, six thousand two hundred and fifty shares; by Stephen Kenrick, of Franklin, in the state of New Hampshire, six thousand two hundred and fifty shares; by Herman W. Ladd, of the city of New York, in the state of New York, six thousand two hundred and fifty shares; by Ulric de Comeau, of said city of New York, six thousand two hundred and fifty shares; by James E. Carpenter, of Foxboro, in the state of Massachusetts, six thousand two hundred and fifty shares; by John Q. Lynch, of said Foxboro, six thousand two hundred and fifty shares; by Albert F. Butterworth, of Dedham, in the state of Massachusetts, six thousand two hundred and fifty shares; and by Everett C. Banfield, of West Roxbury, in the state of Massachusetts, six thousand two hundred and fifty shares.

Given under our hands the twelfth day of June, A. D., eighteen hundred and sixty-five.

[Signed,]

JOSEPH A. GILMORE,  
HERMAN W. LADD,  
STEPHEN KENRICK,  
JAMES E. CARPENTER,  
ALBERT F. BUTTERWORTH,  
JOHN Q. LYNCH,  
EVERETT C. BANFIELD,  
ULRIC DE COMEAU."

Wherefore, the corporators named in the said agreement and who have signed the same, are hereby declared to be, from this date until the sixteenth day of June, eighteen hundred and eighty-five, 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 Wheeling, this sixteenth day of June, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### HARFORD OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 Harford Oil and Mining Company, for the purpose of mining or producing oil or petroleum in any or all the various ways in which it is produced or mined by companies of a similar character; or for mining any such minerals as may be found on the lands owned by the corporation; and for transporting or vending the oil or minerals so produced. The lands of said corporation being situate in Wood county, West Virginia, on the headwaters of Stillwell and Walker's creeks and Sander's Run, about fourteen miles east of Parkersburg, and embracing two tracts of land, together containing two hundred and eight acres of land, more or less. The corporation shall keep its principal office or place of business at Belair, Harford county, Maryland, and is to expire on the fourteenth day of June, A. D., one thousand eight hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and fifty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of thirty-two thousand dollars. The capital so subscribed is divided into shares of one dollar each, which are held by the undersigned, respectively, as follows: William C. Worth, Oxford, Chester county, Pa., twenty-five thousand shares; Robert Hodgson, Oxford, Chester county, Pa., twenty-five thousand shares; John Oakford, Oxford, Chester county, Pa., twenty-five thousand shares; H. Smith Worth, Oxford, Chester county, Pa., twenty-five thousand shares; George D. Hodgson, Oxford, Chester county, Pa., twenty-five thousand shares; George B. Jackson, Oxford, Chester county, Pa., twenty-five thousand shares.

Given under our hands and seals, this fourteenth day of June, A. D., eighteen hundred and sixty-five.

[Signed,]

W. C. WORTH,  
ROBERT HODGSON,  
JOHN OAKFORD,  
H. SMITH WORTH,  
GEO. D. HODGSON,  
GEORGE B. JACKSON."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the fourteenth day of June, eighteen hundred and eighty-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, at Wheeling, this nineteenth day of June, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

### CECIL OIL AND MINING COMPANY.

I, Granville D. Hall, Secretary 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 'Cecil Oil and Mining Company,' for the purpose of mining or producing oil or petroleum in any or all of the various ways in which it is produced or mined by companies of a similar character, or for mining any such mineral as may be found on the lands owned by the corporation, and for the transporting and vending the oil or mineral so produced. The lands of said corporation being situate in Wood county, West Virginia, on Sander's run and Walker's creek, about fifteen miles east of Parkersburg, and embracing two pieces of land, together containing one hundred and seventy-nine and a half acres more or less. The corporation shall keep its principal office at Port Deposit, Cecil county, Maryland, and is to expire on the fourteenth day of June, A. D., eighteen hundred and eighty-five. And for the purpose of forming said corporation, we have subscribed the sum of one hundred and fifty thousand dollars to the capital thereof, and have paid in on said subscription the sum of thirty-two thousand dollars. The capital so subscribed is divided into shares of one dollar each, which are held by the undersigned, respectively, as follows: Robert Hodgson, Oxford, Chester county, Pa., twenty-five thousand shares; William C. Worth, Oxford, Chester county, Pa., twenty-five thousand shares; John Oakford, Oxford, Chester county, Pa., twenty-five thousand shares; H. Smith Worth, Oxford, Chester county, Pa., twenty-five thousand shares; Geo. B. Jackson, Oxford, Chester county, Pa., twenty-five thousand shares; Geo. D. Hodgsou, Oxford, Chester county, Pa., twenty-five thousand shares.

Given under our hands, this fourteenth day of June, A. D., eighteen hundred and sixty-five.

ROBERT HODGSON,  
W. C. WORTH,  
JOHN OAKFORD,  
H. SMITH WORTH,  
GEORGE B. JACKSON,  
GEO. D. HODGSON."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the fourteenth day of June, eighteen hundred and eighty-five, 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 Wheeling, this nineteenth day of June, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*



## WILLOW GLEN OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 'Willow Glen Oil and Mining Company,' for the purpose of buying, selling or leasing oil territory or other lands in the state of West Virginia; for the purpose of boring, pumping, mining or excavating for petroleum, coal, rock or carbon oil, or other mineral or volatile substances, and dealing in said substances so pumped, mined, excavated or obtained; which corporation shall keep its principal office or place of business, in the city of Wheeling, in the state of West Virginia, and is to expire on the first day of March, in the year eighteen hundred and eighty-five. And for the purpose of forming said corporation, we have subscribed the sum of three hundred thousand dollars (\$300,000) to the capital thereof, and have paid in on said subscription the sum of three hundred thousand dollars (\$300,000), in moneys, property and improvements, in the state of West Virginia, and desire the privilege of increasing the said capital by sale of additional shares, from time to time, within the limits authorized by law. The capital so subscribed is divided into shares of one dollar (\$1) each, which are held by the undersigned, respectively, as follows: M. B. Cox, of Wheeling, twenty-five thousand shares, (\$25,000); O. S. Long, of Wheeling, twenty-five thousand shares, (\$25,000); Lewis Baker, of Wheeling, twenty thousand shares, (\$20,000); William M. Lunsford, of Ohio county, twenty thousand shares, (\$20,000); James Dalzell, of Wheeling, two hundred and ten thousand shares, (\$210,000). And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twentieth day of June, in the year of our Lord, one thousand eight hundred and sixty-five.

[Signed,]

O. S. LONG,  
JAMES DALZELL,  
M. B. COX,  
WM. M. LUNSFORD,  
LEWIS BAKER."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of March, eighteen hundred and eighty-five, 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 Wheeling, this twentieth day of June, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
Secretary of the State.

LOWTHER'S RUN PETROLEUM AND MINING COMPANY OF  
PENNSYLVANIA AND WEST VIRGINIA.

I, Granville D. Hall, secretary 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 'Lowther's Run Petroleum and Mining Company of Pennsylvania and West Virginia,' for the purpose of mining, pumping, or, by other means, procuring oil, gas and minerals on lands owned by them in the county of Ritchie and state of West Virginia, and in Fulton county, Pennsylvania; and to buy and to lease lands for and by the corporation and to others for a like object; and also to buy, sell, trade and deal in oils, and to store and transport the same; and to refine or cause to be refined, and, generally, to do and perform all matters and things needful and necessary or desirable in carrying on such business in oils or oil works; as well as to rent or erect and own machinery, tanks and other works for refining processes or otherwise. The place at which the said corporation shall keep its principal office or place of business, is at No. 13 South Third street, in the city of Philadelphia and state of Pennsylvania, and is to expire on the seventh day of June, one thousand eight hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of fifty thousand dollars to the capital thereof, and have paid on the said subscription 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 five hundred thousand dollars in all. The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned, as follows, that is to say: Robert C. Davis, of the city of Philadelphia and state of Pennsylvania, five thousand shares; John Barry, of the city of Philadelphia and state of Pennsylvania, one thousand shares; John Stilz, of the city of Philadelphia and state of Pennsylvania, two thousand shares; Isaac Rheinstrom, of the city of Philadelphia and state of Pennsylvania, one thousand shares; William F. Brady, of the city of Philadelphia and state of Pennsylvania, one thousand shares. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands and seals, this seventh day of June, one thousand eight hundred and sixty-five.

[Signed with seals,]

R. C. DAVIS,  
JOHN BARRY,  
JOHN STILZ,  
ISAAC RHEINSTROM,  
WM. F. BRADY.

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the seventh day of June, eighteen hundred and eighty-five, 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 Wheeling, this twenty-third day of June, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
Secretary of the State.

## HAWTHORNE PETROLEUM AND LUMBERING COMPANY.

I, Granville D. Hall, secretary 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 'Hawthorn Petroleum and Lumbering Company,' for the purpose of boring for petroleum and manufacturing lumber; which corporation shall keep its principal office or place of business at Morgantown, in the county of Monongalia, and is to expire on the sixth day of May, eighteen hundred and eighty-five. And for the purpose of forming said corporation, we have subscribed the sum of forty-one thousand (\$41,000) dollars to the capital thereof, and have paid in on said subscriptions ten thousand two hundred and fifty (\$10,250) dollars, and desire the privilege of increasing 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 one thousand (\$1,000) dollars each, which are held by the undersigned, respectively, as follows, that is to say: by J. Hawthorn, of Newport, Campbell county, Ky., ten shares; C. T. Ham, of Clinton county, Ill., ten shares; E. Shisler, of Cincinnati, Hamilton county, Ohio, ten shares; Thos. Fay, of St. Louis, St. Louis county, Mo., four shares; G. W. Jenks, of St. Louis, St. Louis county, Mo., three shares; George Patrick, of Vincennes, Knox county, Ind., four shares. 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 May, eighteen hundred and sixty-five.

[Signed with seals,]

J. HAWTHORN,  
E. SHISLER,  
GEO. W. PATRICK,  
THOS. FAY,  
GEO. W. JENKS,  
C. T. HAUN.

Wherefore, the incorporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the sixth day of May, eighteen hundred and eighty-five, 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 Wheeling, this twenty-seventh day of June, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State*

## PARKERSBURG GAS COMPANY.

I, Granville D. Hall, secretary 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 Gas Company,' for the purpose of manufacturing gas for the lighting of streets and buildings in the city of Parkersburg, in the state of West Vir-

ginia, and laying all the pipes, fixtures, and all other things necessary therefor, and for purchasing, selling and vending coal, coke, coal tar, gas fixtures, gas meters, or renting either of the latter articles, to such person or persons as may desire to purchase or rent any of the same; with the right to purchase, hire or hold any real estate that may be necessary for the purpose aforesaid, and to erect all necessary buildings, and machinery thereon, in said city for the purposes aforesaid; which corporation shall keep its principal office or place of business in the said city of Parkersburg, in the county of Wood, and is to expire on the thirty-first day of May, eighteen hundred and eighty-five. And for the purpose of forming the said corporation we have subscribed the sum of one hundred and fifty thousand dollars to the capital stock thereof, and have paid in on said subscriptions the sum of twenty-nine thousand dollars, and desire the privilege of increasing the said capital stock by the sale of additional shares, from time to time, to two hundred thousand dollars. 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: John V. Rathbone, of the city of Parkersburg, six hundred shares; Burton Despard, of the town of Clarksburg, West Virginia, twenty hundred and eighty shares; James Montgomery, of the city of Parkersburg, ten shares; Johnson N. Camden, of the city of Parkersburg, three hundred shares; and William Armstrong, of the city of Parkersburg, ten shares. 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, eighteen hundred and sixty-five.

[Signed,]

J. N. CAMDEN,  
B. DESPARD,  
JOHN V. RATHBONE,  
JAMES MONTGOMERY,  
WM. ARMSTRONG."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the thirty-first day of May, eighteen hundred and eighty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of said state, at Wheeling, this twenty-ninth day of June, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

#### GRAHAM CRYSTALIZED ROCK OIL COMPANY.

I, Granville D. Hall, secretary 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 'Graham Crystalized Rock Oil Company,' for the purpose of mining coal and crystalized rock oil, and manufacturing the same; boring for oil, transporting the same to market, and transacting the business properly pertaining thereto, and of its property generally; which corporation shall keep its principal office or

place of business at Baltimore city, in the state of Maryland, and is to expire on the twenty-seventh day of June, eighteen hundred and eighty-five. The mining, boring and general manufacturing business of said proposed corporation is to be carried on in the county of Ritchie, in the State of West Virginia. 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 sales of additional shares from time to time, to such amount of capital as the company may determine upon in accordance with the law regulating the same. 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 Beall; four hundred shares; George W. McCulloh, four hundred shares; Thomas G. McCulloh, one hundred shares; George S. Evans, fifty shares; and John L. Porter, fifty shares. (Each and all of the said corporators reside in the town of Frostburg, in the state of Maryland, and are citizens thereof.) And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands, this twenty-seventh day of June, in the year eighteen hundred and sixty-five.

[Signed,]

NELSON BEALL,  
GEO. W. McCULLOH,  
T. G. McCULLOH,  
GEO. S. EVANS,  
JNO. L. PORTER."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-seventh day of June, eighteen hundred and eighty-five, 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 Wheeling, this twenty-eighth day of June, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

#### KANAWHA AND OHIO RIVER NAVIGATION COMPANY.

I, Granville D. Hall, secretary 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 Ohio River Navigation Company,' for the purpose of navigating the Kanawha and Ohio rivers by steamboat and otherwise, for the purpose of carrying passengers and transporting goods, wares and merchandise from point to point, on said rivers; 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 January, eighteen hundred and eighty-five. (1835.) And for the purpose of forming said corporation, we have subscribed the sum of thirty-five thousand (35,000) dollars to

the capital thereof, and have paid in on said subscription the sum of thirty-five thousand (\$35,000) dollars; the entire amount thereof, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to the sum of (\$250,000) two hundred and fifty thousand dollars in all. The capital so subscribed is divided into shares of (\$500) five hundred dollars each, which are held by the undersigned, respectively, as follows: that is to say, by James H. Oaks and George Morrison, using the name, firm and style of Morrison & Oaks, eleven shares, Kanawha county, W. Va.; John D. Lewis and Charles C. Lewis, using the name, firm and style of Lewis & Son, six shares, Kanawha county, W. Va.; Charles Walker and Jacob D. Shrewsbury, using the name, firm and style of Walker & Co., five shares, Kanawha county, W. Va.; Elijah Rook and Elijah Norton, using the name, firm and style of Rooks & Norton, six shares, Kanawha county, W. Va.; Job E. Thayer and Henry Chappill, using the name, firm and style of Job E. Thayer & Co., five shares, Kanawha county, W. Va.; James Bibby, two shares, Kanawha county, W. Va.; John Slack, jr., one share, Kanawha county, W. Va.; James Atkinson, one share, Kanawha county, W. Va., Greenberry Slack and James Atkinson, using the name, firm and style of Slack and Atkinson, two shares, Kanawha county, W. Va.; Lewis D. Watson and James Watson, using the name, firm and style of L. D. Watson & Bro., five shares, Cincinnati, Ohio; William J. Rand and Solomon Minsker, using the name, firm and style of Rand and Minsker, two shares, Kanawha county, W. Va.; H. W. Reynolds, four shares, Kanawha county, W. Va.; Lewis Ruffner, three shares, Kanawha county, W. Va.; Charles C. Lewis, two shares, Kanawha county, W. Va.; Frederick A. Laidley, two shares, Kanawha county, W. Va.; Watson Eastwood, four shares, Kanawha county, W. Va.; Philip W. Morgan, two shares, Kanawha county, W. Va.; Levi J. Woodward, two shares, Kanawha county, W. Va.; William Kuhn, two shares, Kanawha county, W. Va.; Joseph Shields, two shares, Kanawha county, W. Va.; David Eagan, one share, Kanawha county, W. 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 January, eighteen hundred and sixty-five.

[Signed,]

L. D. WATSON,	CHAS. C. LEWIS,
JAMES WATSON,	JAMES ATKINSON,
CHAS. C. LEWIS,	F. A. LAIDLEY,
JAMES BIBBY,	L. RUFFNER,
GREENBURY SLACK,	J. E. THAYER,
JOHN SLACK, JR.,	W. M. KUHN,
LEVI J. WOODYARD,	JOHN D. LEWIS,
J. SHIELDS,	J. W. OAKES,
WATSON EASTWOOD,	G. M. MORRISON,
P. W. MORGAN,	H. CHAPPEL,
H. W. REYNOLDS,	J. D. SHREWSBURY,
W. G. RAND,	E. ROOKE,
S. MINSKER,	E. NORTON,
DAVID EAGAN,	CHARLES WALKER

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of January, eighteen hundred and eighty-four, 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 Wheeling, this first day of July, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
Secretary of the State.

THE SAINT LOUIS AND WEST VIRGINIA OIL COMPANY.

I, Granville D. Hall, secretary 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 Saint Louis and West Virginia Oil Company,' for the purpose of prospecting, exploring, mining, shafting and boring for oil, commonly called petroleum, carbon oils, salt, coal, iron and other ores, minerals and substances; refining and otherwise preparing the same for market, transporting and vending the same; which corporation shall keep its principal office or place of business at Saint Louis, in the county of Saint Louis, state of Missouri, and is to expire on the first day of May, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed two hundred and fifty thousand dollars to the capital stock thereof, and have paid in on said subscription the sum of one hundred thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to three 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 Joshua Cheever, of St. Louis, seven thousand four hundred and ninety-two shares; James Blackman, of St. Louis, one hundred and fifty shares; Fiske, Knight & Co., of St. Louis, three hundred shares; Edwin Fowler, of St. Louis, one hundred and eighty shares; Murdock & Dickson, of St. Louis, one hundred and eighty shares; Ephraim G. Obear, of St. Louis, four hundred and twenty shares; William F. Obear, of St. Louis, one hundred and eighty shares; Daniel Gilchrist, of St. Louis, ninety shares; Samuel Dodd, of St. Louis, one hundred and eight shares; Eben Richards, jr., of St. Louis, three hundred shares; Ed. Mitchell, of St. Louis, three hundred shares; Henry R. Wyman, of St. Louis, two hundred and forty shares; Charles H. Wyman, of St. Louis, sixty shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this twenty-second day of June, eighteen hundred and sixty-five.

[Signed,]

EBEN RICHARDS,	FISKE, KNIGHT, & Co.
JOSHUA CHEEVER,	WM. F. OBEAR,
EPHRAIM G. OBEAR,	JAMES BLACKMAN,
EDWIN FOWLER,	MURDOCK & DICKSON,
C. H. WYMAN,	HENRY P. WYMAN,
DANIEL GILCHRIST,	ED. J. MITCHELL."
SAMUEL DODD,	

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of May, eighteen hundred and eighty-five, 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 Wheeling, this twenty-ninth day of June, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

GILMORE PETROLEUM AND MINING COMPANY.

I, Granville D. Hall, secretary 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 'Gilmore Petroleum and Mining Company,' for the purpose of mining for bituminous coal, petroleum or rock oil, and carrying on the business of procuring rock or petroleum oil by mining or otherwise, in all its branches, and refining the same; which corporation shall keep its principal office in the city of Boston, Massachusetts, and is to expire on the twenty-first day of June, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of ninety-seven thousand five hundred dollars to the capital thereof, and have paid in on said subscription the sum of thirty thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to the amount of three hundred thousand dollars in all. The capital so subscribed is divided into shares of three dollars each, which are held by the undersigned, respectively, as follows, that is to say: by R. R. Baker, Boston, Mass., one thousand shares; Robert H. Patton, Boston, Mass., one thousand shares; S. J. Horn, Wilmington, Del., twenty-five thousand shares; Robert Soper, Provincetown, Mass., five hundred shares; L. R. Goodwin, New York City, one thousand shares; Frederick L. Freeman, Portland, Maine, four thousand 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 June, eighteen hundred and sixty-five.

[Signed,]

REUBEN R. BAKER,  
FREDERICK L. FREEMAN,  
ROBERT SOPER,  
LANDON R. GOODWIN,  
SOLOMON J. HORN,  
ROBERT H. PETTON."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the twenty-first day of June, eighteen hundred and eighty-five, 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 Wheeling, this fifth day of July, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*



## THE REEDY CREEK OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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:

"Certificate of incorporation of 'The Reedy Creek Oil and Mining Company:' The undersigned agree to become a corporation under the above title, for the purpose of mining or producing oil or petroleum in any or all the various ways in which it is produced or mined by corporations of a similar character, or for mining any such minerals as may be found on the lands owned by the corporation, and for transporting and vending the oil and minerals so produced; the lands of said corporation being situated in Wirt county, West Virginia, on the head waters of Reedy creek, embracing a tract of land containing one hundred and thirty-five acres. The corporation shall keep its principal place of business at Coatesville, in Chester county, Pennsylvania, and is to expire on the tenth day of July, eighteen hundred and eighty-five. And for the purpose of forming 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 seventeen thousand dollars. The capital so subscribed is divided into shares of one dollar each, which are held by the undersigned, respectively, as follows: Abraham Gibbons, sixteen thousand six hundred and sixty-six dollars and sixty-six cents; Francis Heckman, sixteen thousand six hundred and sixty-six dollars and sixty-six cents; Joseph Wiley, sixteen thousand six hundred and sixty-six dollars and sixty-six cents; Samuel Moore, sixteen thousand six hundred and sixty-six dollars and sixty-six cents; Ezra Hall, sixteen thousand six hundred and sixty-six dollars and sixty-six cents; Richard Strode, sixteen thousand six hundred and sixty-six dollars and sixty-six cents.

In witness whereof, we have subscribed our names and affixed our seals this nineteenth day of May, A. D., eighteen hundred and sixty-five.

[Signed with seals,]

A. GIBBONS,  
FRANCIS HECKMAN,  
JOSEPH WILEY,  
JAMES MOORE,  
EZRA H. HALL,  
R. STRODE."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the tenth day of July, eighteen hundred and eighty-five, 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 Wheeling, this tenth day of July, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE EATON STATION OIL COMPANY.

I, Granville D. Hall, secretary 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 Eaton Station Oil Company of West Virginia,' for the purpose of boring for petroleum, rock oil or carbon oil, and for obtaining the same by pumping or otherwise, and selling the same on the premises where obtained or marketing the same elsewhere; which said 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 June that will be in the year one thousand eight hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of fifty-three thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of twelve thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred and twenty 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 T. Cochrane, of Washington City and District of Columbia, one hundred and thirty-three shares; by William Thomas, of the same place, eighty-eight shares; by B. G. Wilson, of the same place, eighty-eight shares; by William D. Colt, of the same place, one hundred and thirty-three shares; by J. Carter Marbury, of the same place, eighty-eight shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twelfth day of June, eighteen hundred and sixty-five.

[Signed,]

WM. THOMAS,  
J. CARTER MARBURY,  
JOHN T. COCHRANE,  
WM. D. COLT,  
B. G. WILSON."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of June, eighteen hundred and eighty-five, 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 Wheeling, this tenth day of July, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## STANLEY RUN AND COW CREEK OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 ‘Stanley Run and Cow Creek Oil and Mining Company,’ for the purpose of mining and boring for petroleum and salt water, and refining and selling the same, and all business incident thereto, including the holding in fee simple or otherwise, the lands necessary therefor ; which corporation shall keep its principal office or place of business on or near the lands of the company, in the county of Pleasants, in the state of West Virginia, and is to expire on the twenty-fifth day of June, A. D., eighteen hundred and eighty-five. (1885.) And for the purpose of forming said corporation we have subscribed the sum of twenty-five thousand dollars to the capital stock thereof, and have paid in on the said subscription the sum of seven thousand five hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to two hundred thousand (200,000) dollars. The capital so subscribed is divided into shares of fifty (50) dollars each, which are held by the undersigned, respectively, as follows : that is to say, by Wm. Price, twenty shares ; J. T. Updegraff, twenty shares ; Wm. M. Glass, ten shares ; R. W. Chenabar, five shares ; G. T. Fogle, ten shares ; G. W. Mitchell, twenty shares ; G. W. Delmuth, six shares ; Messrs. Skeele & Chambers, six shares ; A. G. Henry, twenty-six shares ; Miller Gibson, ten shares ; Imlah W. Fogle & Company, twenty shares ; Geo. R. Jenkins, twenty shares ; James H. Gill, twenty-one shares ; John H. Mercer, four shares ; D. B. Updegraff, ten shares ; Geo. R. Jenkins, ten shares ; G. W. Drake, five shares ; J. G. Hussey, seven shares ; Eli Woodward, two shares ; Thomas H. Ferrill, five shares ; Joseph Pettitt, four shares ; James Maxwell, six shares ; Abel M. Walker, fourteen shares ; Geo. Kinsey, ten shares ; Wm. R. Ratcliff, five shares ; Geo. J. Evans, five shares ; Jesse M. Williams, five shares ; David M. Milnor, two shares ; Bracken Brothers, five shares ; all of the foregoing are residents of Mount Pleasant township, Jefferson county, state of Ohio : and Nathan Husey, twelve shares ; Jacob Barkhurst, ten shares ; John S. Barkhurst, five shares ; Samuel Ong, eight shares ; of Smithfield township, same state and county ; and John Beall, twenty shares ; Robert B. Lawrence, six shares ; Joseph Keithcart, twenty shares ; Joseph Neel, five shares ; Archibald Neel, six shares ; of Warren township, of same county and state, and Fillman Hall, ten shares ; Wm. J. Harrison, twenty shares ; Nathaniel W. Ricks, ten shares ; of Mt. Pleasant township, same county and state ; and Cyrus Mendenhall, ten shares ; Oliver W. Sidwell, six shares ; Jesse Loyd, sr., ten shares ; Caleb Bracken, ten shares ; James H. Drennan, two shares ; of Belmont county, state of Ohio ; Jesse Loyd, jr., of Belmont county, Ohio, six shares ; David Conley, jr., five shares ; Wm. Meek, five shares ; of Smithfield township, Jefferson county, Ohio ; Wm. Harris, six shares, Warren township, Jefferson county, Ohio ; and John Sheron, four shares ; Geo. P. Clark, ten shares ; Wm. Talbott, one share ; the last three of Mount Pleasant township, Jefferson county, Ohio. And the capital to be hereafter sold is to be divided into shares of the like amount.

## Corporations.

Given under our hands, this twenty-sixth (26) day of June, A. D., one thousand eight hundred and sixty-five.

[Signed,]

CYRUS MENDENHALL,	JOHN H. MERGER,
WILLIAM PRICE,	WM. M. GLASS,
MATHEW HENRY,	G. W. DRAKE,
GEO. R. JENKINS,	J. H. GILL,
DAVID CONLEY, JR.,	JOSEPH NEEL,
G. W. MITCHELL,	SAMUEL N. ONG,
WILLIAM J. HARRISON,	JOSEPH KEITHCART,
J. M. FOGLE & Co.,	O. W. SIDWELL,
H. W. CHAMBERS,	GEO. J. EVANS,
MILLER GIBSON,	FILLMAN HALL,
SKELLES & CHAMBERS,	J. T. UPDEGRAFF,
A. M. WALKER,	ELI WOODWARD,
WILLIAM MEEK,	G. W. DELMUTH,
JOHN SHERRON,	BRACKEN BROTHERS,
JESSE FLOYD, SR.,	JAMES MAXWELL,
GEORGE KINSEY,	J. M. WILLIAMS,
G. T. FOGLE,	WM. S. HARRIS,
JOSEPH PETITT,	THOMAS H. FERRELL,
WM. R. RADCLIFF,	JOHN BEALL,
JOHN G. HUSSEY,	CALER BRACKEN,
M. W. BICKS,	WM. M. TALBOT,
JESSE LOYD,	JOHN L. BARKHURST,
D. B. UPDEGRAFF,	JAS. H. BRENNAN,
R. B. LAWRENCE,	A. G. KINSEY,
G. P. CLARK,	ARCHIBALD NEEL,
DANIEL N. MILNER,	JACOB BARKHURST."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-fifth day of June, eighteen hundred and eighty-five, 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 Wheeling, this fifteenth day of July, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. H. ALL,  
*Secretary of the State.*

## THE PHILADELPHIA AND BURNING SPRING OIL COMPANY.

I, Granville D. Hall, secretary 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 Philadelphia and Burning Spring Oil Company,' of West Virginia, for the purpose of boring for oil and manufacturing and selling the same; which corporation shall keep its principal office or place of business at Burning Springs, in the county of Wirt and State of West Virginia, and is to expire on the twentieth day of July, eighteen hundred and eighty-five. 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 thirty thousand dollars. 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 Samuel Kilpatrick, thirty-three hundred and thirty-five shares; James Ballenger, thirty-three hundred and thirty-four shares; James W. Early, thirty-three hundred and thirty-three shares; Daniel H. Foster, thirty-three hundred and thirty-three shares; J. Mitchell Baker, thirty-three hundred and thirty-three shares; Wm. H. Taylor, thirty-three hundred and thirty-two shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this eighteenth day of July, eighteen hundred and sixty-five.

[Signed,]

SAM'L KILPATRICK,  
JAMES BALLENGER,  
JAMES W. EARLY,  
DANIEL H. FOSTER,  
J. M. BAKER,  
W. H. TAYLOR."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twentieth day of July, eighteen hundred and eighty-five, 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 Wheeling, this twentieth day of July, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### PAINT CREEK AND RITCHIE COUNTY OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 Paint Creek and Ritchie County Oil and Mining Company,' for the purpose of producing and manufacturing in Ritchie county, West Virginia, and Floyd county, Kentucky, petroleum oil and all products of the same, and for the further purpose of manufacturing any articles that may be necessary to its production, retention, transportation or sale, and for such other purposes as shall be necessary; 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 eighteenth day of July, eighteen hundred and eighty-five. 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 subscriptions the sum of eighty-two thousand five hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to five hundred thousand dollars in all. The capital so subscribed is divided into shares of two dollars each, which are held by the undersigned, respectively, as follows, that is to say: by John Cornell, of Parkersburg, West Virginia, forty thousand (40,000) shares; James W. Dare, Parkersburg, West Virginia, twenty thousand (20,000) shares; Montgomery Rankin, Newark, Delaware, twenty thousand (20,000) shares; John R. Hannaman, Wood county, West Virginia, four thousand one hundred and twenty-five shares, and Charles Murphy, Philadelphia, Pennsylvania, fifteen thousand eight hundred and seventy-five shares.

Given under our hands this eighteenth day of July, eighteen hundred and sixty-five.

[Signed,]

JOHN CORNELL,  
CHARLES MURPHY,  
JOHN R. HANNAMAN,  
JAMES W. DARE,  
MONTGOMERY RANKIN."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the eighteenth day of July, eighteen hundred and eighty-five, 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 Wheeling, this twentieth day of July, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

### THE BELMONT IRON WORKS COMPANY.

WHEELING, WEST VA., July 21, 1865.

To GRANVILLE D. HALL,

*Secretary of the State of West Va :*

At the regular annual meeting of the stockholders of "The Belmont Iron Works Company," of Wheeling, West Virginia, held at the office of said corporation in the city of Wheeling, at which two hundred and fifty-six shares of stock, out of two hundred and fifty-eight shares, the total number, was represented, the following resolution was passed, having received the affirmative vote of one hundred and eighty shares against seventy-six votes in the negative, viz :

Whereas, The resolution requiring the assessment and payment of three hundred and fifty dollars per share to make good the loss of capital resulting on the operations of the corporation since January fourth, eighteen hundred and sixty-five, not having an unanimous vote, and therefore not being adopted, it is hereby

Resolved, That the corporation shall discontinue its business and go into immediate liquidation, in accordance with the fortieth section of the act of the legislature of West Virginia, passed October twenty-sixth, eighteen hundred and sixty-three, regarding corporations; and the board of directors of said corporation is hereby authorized and directed to proceed forthwith to close and settle up its business as soon as practicable, in accordance with said section of said act; and that the real estate and appurtenances and chattel property shall be sold on or before the first day of September next."

And I do hereby certify the above as a correct copy of said resolution. Witness my signature and seal of said corporation.

SEAL.

HENRY MOORE,  
*Pres. B. I. W. Co.*

[Endorsed. Filed July 21, 1865.]

## FRANKLIN IRON AND COAL COMPANY.

I, Granville D. Hall, secretary 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 'Franklin Iron and Coal Company,' for the purpose of mining iron ore, coal and other minerals, manufacturing the same, leasing and selling the same, or other property or interests, and all other privileges necessarily connected therewith ; which corporation shall keep its office or principal place of business at Franklin Iron Works, in the county of Preston, W. Va., and is to expire on the first (1st) day of July, in the year of our Lord, one thousand eight hundred and eighty-five. And for the purpose of forming the said company (or corporation,) we, the undersigned, have subscribed the sum of two hundred and fifteen thousand dollars to the capital stock thereof, and have paid in on said subscriptions the sum of twenty-one thousand five hundred dollars, and desire the privilege of increasing the said capital by sales 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 George Hardman, (as attorney of Nancy Hardman, of Preston county, W. Va.,) one thousand shares ; by R. Richason Walker, of the city of Brooklyn and state of New York, one thousand shares ; by John W. Jenkins, of the city of Baltimore, in the state of Maryland, fifty shares ; by William Prescott Smith, also of the city of Baltimore, in the state of Maryland, fifty shares, and by Samuel P. Hildreth, of the city of Wheeling, in the state of West Virginia, fifty shares. And the capital hereafter to be sold is to be divided into shares of the like amount, that is to say one hundred dollars each.

Given under our hands this twelfth day of July, in the year of our Lord, one thousand eight hundred and sixty-five (1865.)

[Signed,]

GEORGE HARDMAN,  
A Attorney for Nancy Hardman, of Preston county, West Virginia,  
 R. RICHASON WALKER,  
 JOHN H. JENKINS,  
 WM. PRESCOTT SMITH,  
 S. P. HILDRETH."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of July, eighteen hundred and eighty-five, 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 Wheeling, this twenty-sixth day of July, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## FREEL'S RUN OIL COMPANY OF WEST VIRGINIA.

I, Granville D. Hall, secretary 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 'Freel's Run Oil Company of West Virginia,' for the purpose of mining and boring for petroleum, salt, iron, coal and other minerals, and mineral substances, and refining and otherwise preparing the same for sale, and selling the same. Which corporation shall keep its principal office or place of business at Philadelphia, in the state of Pennsylvania, and is to expire on the twenty-fourth day of July, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of fourteen thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of forty-two hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to fifty thousand dollars in all. The capital so subscribed is divided into fourteen thousand shares of one dollar each, which are held by the undersigned, respectively, as follows: that is to say, by James Goodfellow, of Philadelphia, Pa., five thousand shares; by Solomon Wagner, of Philadelphia, Pa., two thousand shares; by William J. Granlees, of Philadelphia, Pa., two thousand shares; Lewis Woolman, of Philadelphia, Pa., three thousand shares; by John Austin, of Philadelphia, Pa., two thousand shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this twenty-fourth day of July, eighteen hundred and sixty-five. (1865.)

[Signed,]

JAMES GOODFELLOW,  
SOLOMON WAGNER,  
WILLIAM J. GRANLEES,  
LEWIS WOOLMAN,  
JOHN AUSTIN."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-fourth day of July, eighteen hundred and eighty-five, 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 Wheeling, this twenty-eighth day of July, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State*

## THE GALE PETROLEUM COMPANY.

I, Granville D. Hall, secretary 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 following words and figures:

"The undersigned hereby agree to become a corporation by the name of 'The Gale Petroleum Company,' for the purpose of boring for carbon oil, and obtaining the same by purchasing or otherwise, and of selling the same on



the premises where obtained, or sending the same to market elsewhere. Which said corporation shall keep its principal office or place of business at Philadelphia, in the state of Pennsylvania, and is to expire on the first day of June, A. D., eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of fifty thousand dollars to the capital thereof, and have paid in on said subscription the sum of ten thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to sixty 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, viz: Enos H. Barnard, of Chester county, Pennsylvania, five thousand shares: Chalkey Coates, of Chester county, Pennsylvania, two thousand five hundred shares; J. Bernard Walton, of Chester county, Pennsylvania, two thousand five hundred shares; Edward L. Gale, of Parkersburg, West Virginia, nine thousand shares; Theodore L. Maurice, of Parkersburg, West Virginia, fifteen thousand five hundred shares: Nathan P. Walton, of Chester county, Pennsylvania, fifteen thousand five hundred shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands and seals, this twenty-third day of June, A. D., eighteen hundred and sixty-five.

[Signed with seals,]

ENOS H. BARNARD,  
CHALKEY COATES,  
J. BARNARD WALTON,  
E. L. GALE,  
THEODORE L. MAURICE,  
NATHAN P. WALTON."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of June, eighteen hundred and eighty-five, 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 Wheeling, this twenty-eighth day of July, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### VETERAN COAL AND OIL COMPANY.

I, Granville D. Hall, secretary 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 Veteran Coal and Oil Company, for the purpose of mining coal and other minerals, and for the purpose of boring, excavating and mining for petroleum, rock or carbon oil, and buying and selling the same. Which corporation shall keep its principal office or place of business at Charleston, Kanawha county, state of West Virginia, and is to expire on the first day of July, A. D., eighteen hundred and eighty five. And for the purpose of forming the said corporation we have subscribed the sum of twenty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of thirteen

thousand five hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to forty thousand dollars (\$40,000) 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 Joseph C. Wheeler, of the town of Charleston, state of West Virginia, two hundred shares; Elias Powell, of the state of Kentucky, two hundred shares; A. W. Gregg, of the town of Charleston, state of West Virginia, two hundred shares; William Gramm, of the said town of Charleston, two hundred shares; F. Mathers, of Belpre, in the state of Ohio, two hundred shares; M. E. Cook, of the county of Wyoming, and state of West Virginia, two hundred shares; J. M. Rife, of Charleston, West Virginia, two hundred shares; H. L. Carter, of Kanawha Salines, West Virginia, two hundred shares; H. Lewis, of Clay county, West Virginia, two hundred shares; T. K. McCann, of Steubenville, Ohio, one hundred shares; Thomas G. Putnam, of the state of New York, one hundred shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this twenty-second day of July, A. D., eighteen hundred and sixty-five.

[Signed,]

JOS. C. WHEELER,  
ELIAS POWELL,  
A. W. GREGG,  
WILLIAM GRAMM,  
F. MATHERS,  
J. M. RIFE,  
H. L. CARTER,  
H. LEWIS,  
M. E. COOK,  
T. K. MCCANN,  
by his attorney Jos. C. Wheeler.  
THOS. G. PUTNAM,  
by his attorney Jos. C. Wheeler.

Wherefore, the corporaters named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of July, eighteen hundred and eighty-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, at Wheeling, this thirty-first day of July, eighteen hundred and sixty-five.

SAEL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### GRAHAM CRYSTALIZED ROCK OIL COMPANY.

"I, Granville D. Hall, secretary of the state of West Virginia, hereby certify that a certificate duly authenticated, has been this day delivered to me; which certificate is in the words and figures following:

OFFICE OF THE GRAHAM CRYSTALIZED ROCK OIL COMPANY, }  
BALTIMORE, July 29th, 1865. }

"I, Thomas Wilson, the president of the Graham Crystalized Rock Oil Company, a corporation duly organized under and pursuant to the act of the legislature of the state of West Virginia, entitled 'An Act providing for the formation of corporations and regulating the same,' and the act amendatory thereof, do hereby certify, that at a general meeting of the stockholders of said company, duly held pursuant to notice, on the twenty-eighth day of July, eighteen hundred and eighty-five, the following resolution was adopted:

'Resolved, That we desire and propose to increase the amount of the capital stock of this company so as to make the same altogether three millions of dollars.'

And I do hereby certify the said resolution to the secretary of the state of West Virginia, to the end that the said proposed increase may be authorized in law.

In testimony whereof, I have hereunto subscribed my name and affixed the common seal of the said corporation, this twenty-ninth day of July, in the year eighteen hundred and sixty-five.

[SEAL.]

THOS. WILSON, *President.*

Wherefore, it is hereby declared that the amount of the capital stock of the Graham Crystalized Rock Oil Company is, by authority of law, increased so as to make the same altogether three millions of dollars.

Given under my hand and the great seal of the said state at Wheeling, this fifth day of August, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### RITCHIE MINERAL RESIN AND OIL COMPANY.

I, Granville D. Hall, secretary of the state of West Virginia, hereby certify that a certificate, duly authenticated, has been this day delivered to me, which certificate is in the words and figures following :

OFFICE OF THE GRAHAM CRYSTALIZED ROCK OIL COMPANY, }  
BALTIMORE, July 29th, 1865. }

"I, Thomas Wilson, the President of the Graham Crystalized Rock Oil Company, a corporation duly organized under and pursuant to the act of the legislature of the state of West Virginia, entitled 'an act providing for the formation of corporations and regulating the same,' and the acts amendatory thereof, do hereby certify that at a general meeting of the stockholders of said company, duly held pursuant to notice on the twenty-eighth day of July, eighteen hundred and sixty-five, the following resolution was adopted :

"*Resolved*, That we desire to change the name of the Graham Crystalized Rock Oil Company, and we do now, therefore, change the name of the said company to the Ritchie Mineral Resin and Oil Company, by which name we propose it shall be hereafter known.'

"And I do hereby certify the said resolution to the Secretary of state of the state of West Virginia, to the end that the said proposed change of name may be authorized in law.

In testimony whereof, I have hereunto subscribed my name, and affixed the common seal of the said corporation, this twenty-ninth day of July, in the year eighteen hundred and sixty-five.

[SEAL.]

THOMAS WILSON, *President.*

Wherefore, it is hereby declared that the Graham Crystalized Rock Oil Company is to be hereafter known by the name of the Ritchie Mineral Resin and Oil Company.

Given under my hand and the great seal of the said state, at Wheeling, this fifth day of August, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE PUTNAM OIL COMPANY.

I, Granville D. Hall, secretary 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 Putnam Oil Company,’ for the purpose of mining for petroleum or rock oil, coal oil, coal, iron ore and salt, and of manufacturing oil from cannel coal ; which corporation shall keep its principal office or place of business in the city of Philadelphia, and state of Pennsylvania, and is to expire on the first day of August, A. D., eighteen hundred and eighty-five. And for the purpose of forming the corporation, we have subscribed the sum of five hundred thousand dollars to the capital thereof, and have paid in on the said subscription the sum of fifty thousand dollars. The capital so subscribed is divided into shares of two dollars and fifty cents each, which are held by the undersigned, respectively, as follows, that is to say: James B. McCamant, forty-five thousand shares ; Joel B. McCamant, forty-five thousand shares ; M. Richard Muckle, fifty thousand shares ; Decatur E. Nice, fifty thousand shares ; Thomas J. McCamant, ten thousand shares.

Given under our hands this fifth day of August, A. D., eighteen hundred and sixty-five.

[Signed,]

JAMES B. MCCAMANT,  
JOEL B. MCCAMANT,  
M. RICHARD MUCKLE,  
D. E. NICE,  
THOS. J. MCCAMANT.”

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of August, eighteen hundred and eighty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of said state, at Wheeling, this ninth day of August, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## SISTERSVILLE WOOLEN MANUFACTURING COMPANY.

I, Granville D. Hall, secretary 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 ‘Sistersville Woollen Manufacturing Company,’ for the purpose of manufacturing wool into rolls, yarn, cloth, &c. ; which corporation shall keep its principal office or place of business at Sistersville, in the county of Tyler, and is to expire on the fifth day of August, one thousand eight hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of seven thousand dollars to the capital thereof, and have

paid in on said subscription the sum of fourteen hundred dollars, and desire the privilege of increasing said capital by sales of additional shares, from time to time, to fifty 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: John Wharry, two shares; Valentine Smith, one share; Nelson McAllister, one share; Charles H. Boyles, one share; William Rice, two shares; David King, one share; Henry Troyford, two shares; Shriver Moore, one share; J. T. Hickman, one share; John C. Way, one share; Thos. H. Stewart, one share. All the above are of Tyler 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 fifth day of August, one thousand eight hundred and sixty-five.

[Signed,] JOHN WHARRY, HENRY TROYFORD,  
 VALENTINE SMITH, SHRIVER MOORE,  
 NELSON McALLISTER, JEREMIAH T. HECKMAN,  
 CHARLES H. BOYLES, JOHN C. WAY,  
 WILLIAM RICE, THOMAS H. STEWART.  
 DAVID KING,

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the fifth day of August, eighteen hundred and eighty-five, 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 the city of Wheeling, this eleventh day of August, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

#### TUNNELTON COAL COMPANY OF PRESTON COUNTY, WEST VIRGINIA.

I, Granville D. Hall, secretary 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 'Tunnelton Coal Company, of Preston County, West Virginia,' for the purpose of mining and shipping coal: which corporation shall keep its principal office or place of business at the city of Baltimore, state of Maryland, and is to expire on the eleventh day of August, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of seventy thousand (\$70,000) dollars to the capital thereof, and have paid in on the said subscription, the sum of seventy thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to five hundred thousand (\$500,000) 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 S. Barry, of Baltimore city, thirty-five hundred shares; Allen A. Chapman, of Baltimore city, thirty-five hundred shares; Hiram Woods, jr., of

## Corporations.

Baltimore city, thirty-five hundred shares; Abraham B. Patterson, of Baltimore city, eleven hundred and sixty-seven shares; John F. Ehlen, of Baltimore city, eleven hundred and sixty-six shares, and by Charles H. Hamill, of Frostburg, Alleghany county, Maryland, eleven hundred and sixty-seven shares. 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 August, eighteen hundred and sixty-five.

[Signed with seals,]

• ALLEN A. CHAPMAN,  
HIRAM WOODS, JR.,  
JOHN S. BARRY,  
JOHN F. EHLEN,  
ABM. B. PATTERSON,  
CHAS. H. HAMILL."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the eleventh day of August, eighteen hundred and eighty-five, 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 Wheeling, this twenty-third day of August, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

THE VIRGINIA COAL AND IRON COMPANY, OF HAMPSHIRE COUNTY, WEST VIRGINIA.

I, Granville D. Hall, secretary 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 'Virginia Coal and Iron Company, of Hampshire County, West Virginia,' for the purpose of mining coal and other minerals, and shipping the same; which corporation shall keep its principal office or place of business at Baltimore city, state of Maryland, and is to expire on the sixteenth day of August, eighteen hundred and eighty-five. 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 thousand dollars, and desire the privilege of increasing the said capital by sales 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 five dollars each, which are held by the undersigned respectively, as follows, that is to say: by Patrick H. Sullivan, of Baltimore city, state of Maryland, one thousand shares; Joseph Wilkins, Baltimore city, state of Maryland, one thousand shares; William Gilmore, jr., Baltimore city, state of Maryland, one thousand shares; John F. Ehlen, Baltimore city, state of Maryland, one thousand shares, and John M. Denison, Baltimore city, state of Maryland, one thousand 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 August, eighteen hundred and sixty-five.

[Signed with seals,]

PAT'K H. SULLIVAN,  
JOS. WILKINS,  
W. GILMOR, JR.,  
JOHN EHLEN,  
JNO. M. DENISON."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the sixteenth day of August, eighteen hundred and eighty-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, at Wheeling, this twenty-third day of June, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

#### THE LITTLE KANAWHA RIVER PETROLEUM COMPANY.

I, Granville D. Hall, secretary 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 Little Kanawha River Petroleum Company,' for the purpose of mining, excavating and boring for petroleum, coal, rock or carbon oil, or other valuable mineral or volatile substances; and for the purpose of manufacturing lumber, including the manufacture of staves, shock and heading, and of casks complete, and to convey the products to market; which corporation shall keep its principal office or place of business at its property on the Little Kanawha river, thirteen miles above Parkersburg, in Wood county, West Virginia, and is to expire on the first day of June, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of two hundred thousand dollars to the capital stock thereof, and have paid in on said subscriptions the sum of twenty thousand dollars, and desire the privilege of increasing the said capital by sales of additional stock, to one million of 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, John S. Carlile, Frederick, Maryland, eight thousand seven hundred and fifty-five shares; Lorenzo D. W. Sweat, Portland, Maine, five thousand shares; Charles R. Merrill, Portland, Maine, one hundred and sixty-six shares; John H. Williams, Portland, Maine, four hundred and fifteen shares; Moses McDonald, Portland, Maine, one hundred and sixty-six shares; Bion Bradbury, Portland, Maine, one hundred and sixty-six shares; Henry Inman, Portland, Maine, one hundred and sixty-six shares; Edward S. Morris, Portland, Maine, one hundred and sixty-six shares, D. R. Harder, Frederick, Maryland, five thousand shares. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands, this twenty-second day of June, eighteen hundred and sixty-five.

[Signed.]	L. D. M. SWEAT,	JNO. S. CARLILE,
	EDWARD S. MORRIS,	BION BRADBURY,
	CHARLES B. MERRILL,	MOSES McDONALD,
	J. H. WILLIAMS,	D. R. HARDER."
	HENRY INMAN,	

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the first day of June, eighteen hundred and eighty-five, 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 Wheeling, this twenty-sixth day of August, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### THE BURNING SPRINGS, FRENCH CREEK AND NEWELL RUN OIL AND MINING COMPANY.

I, Granville D. Hall, Secretary 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 Burning Springs, French Creek and Newell's Run Oil and Mining Company,' for the purpose of mining for minerals and oil in the states of West Virginia and Ohio, upon the lands held and owned, and to be held and owned by the said company above named; which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, and is to expire on the eighth day of September, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of twenty-three thousand four hundred dollars to the capital stock thereof, and have paid in on said subscriptions the sum of twenty-three hundred and forty dollars, and desire the privilege of increasing the said capital by sales 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 David Morrison, of Cleveland, Ohio, three hundred shares; Mason W. Burt, of Taunton, Massachusetts, five hundred and forty shares; Joseph H. Connelly, of Wheeling, West Virginia, one thousand shares; Henry Crangle, of Wheeling, West Virginia, two hundred shares; and Samuel P. Hildreth, of Wheeling, three hundred shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this eighth day of September, eighteen hundred and sixty-five.

[Signed,]

DAVID MORRISON,  
MASON W. BURT,  
JOS. H. CONNELLY,  
HENRY CRANGLE,  
S. P. HILDRETH."



Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the eighth day of September, eighteen hundred and eighty-five, 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 the city of Wheeling, this ninth day of September, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

### THE PEOPLE'S MANUFACTURING COMPANY.

I, Granville D. Hall, secretary 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 People's Manufacturing Company,' for the purpose of carrying on the grist and saw milling business, and the trading necessarily connected therewith; also, the manufacture of wool or cotton, or both, and the trading necessarily connected therewith; which corporation shall keep its principal office or place of business at Shilo, (Pleasant Mills,) in Tyler county, West Virginia, and is to expire on the first day of March, A. D., one thousand eight hundred and eighty-five. 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 five thousand and fifty dollars, (in cash and real estate,) and desire the privilege to increase 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 twenty dollars each, which are held by the undersigned, respectively, as follows: that is to say, by Jacob T. Galloway, of Tyler county, West Virginia, thirty shares; by Levi Hissim, of the same place, one hundred shares; by Nelson H. Brown, of same place, one hundred shares; by S. E. Steele, of same place, twenty-five shares; by Martin L. Hissim, of same place, twenty-five shares; by Moses Galloway, of same place, thirty shares; by Jacob Hugus, of same place, five shares; by E. B. Brennan, of same place, fifteen shares; by A. J. Morgan, of same place, five shares; by Jeremiah Bullman, of same place, ten shares; by William Johnson, of Pleasants county, West Virginia, ten shares; by John McGregor, of same place, fifteen shares; by David Dillion, of same place, five shares; by Smiley Maxwell, of same place, five shares; by Thomas D. Gorrell, of same place, five shares; by D. C. Sweeny, of Tyler county, fifteen shares; by W. S. Morey, of the same place, fifteen shares; by Granville C. Flesher, of the same place, five shares; by William J. Martin, of Pleasants county, West Virginia, thirteen shares; by J. B. Mason, of Pleasants county, ten shares; by David Patterson, of Tyler county, West Virginia, ten shares; by William J. Robinson, same place, five shares; by Wilson Long, same place, twelve shares; by J. H. Johnson and D. D. Johnson, twenty-five shares, both of Tyler county; by Miles Scofield, of same place, five shares. And the capital to be hereafter sold is to be divided into shares of like amount.

*Corporations.*

Given under our hands, this eleventh day of September, eighteen hundred and sixty-five.

{Signed,}

WM. J. MARTIN,  
J. B. MASON,  
WILLIAM JOHNSON,  
JACOB T. GALLOWAY,  
DAVID PATTERSON,  
JEREMIAH BULLMAN,  
WM. J. ROBINSON,  
WILSON LONG,  
JOHN MCGREGOR,  
THOMAS D. GORRELL,  
DAVID DILLON,  
SMILEY MAXWELL,  
D. C. SWEENEY,

W. S. MOREY,  
MOSES GALLOWAY,  
LEVI HISSIM,  
J. H. & D. D. JOHNSON,  
NELSON H. BROWN,  
MARTIN L. HISSIM,  
MILES SCHOFIELD,  
S. E. STEELE.  
E. B. BRENNAN,  
A. J. MORGAN,  
G. C. FLESHER,  
JACOB HUGUS."

Wherefore, the corporators named in the said agreement and who have signed the same, are hereby declared to be, from this date until the first day of March, eighteen hundred and eighty-five, 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 Wheeling, this sixteenth day of September, eighteen hundred and sixty-five.

{NEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

### THE WIRT OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 Wirt Oil and Mining Company,' for the purpose of boring, excavating and mining for petroleum, coal and other minerals, refining and manufacturing petroleum, coal and minerals, and the various elements and substances that are combined therewith or can be extracted therefrom, and buying, selling and dealing in the said articles, or any of them, either in their crude or manufactured state, with the privilege, for the purpose aforesaid, of acquiring, leasing and disposing of real estate, subject to the restrictions imposed by law; and of doing all things lawful that may pertain to the business aforesaid, or which shall be necessary or proper in the managing and carrying on the same. Which corporation shall keep its principal office or place of business in Burning Springs township, in Wirt county, in the state of West Virginia, and is to expire on the twenty-fourth day of June, in the year eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of three hundred thousand dollars to the capital thereof, and have paid in the same. 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 James C. Clarke, of Greensburg, Westmoreland county, Pennsylvania, five hundred and twenty-three shares; Welsh, Evans & Co., of Westmoreland county, Pennsylvania, twenty thousand shares;

Robert Black, of Greensburg, Pennsylvania, five hundred and twenty-three shares; William L. Evans, of the same place, five hundred and twenty-three shares; James J. Hazlett, of the same place, three hundred and seventy-five shares; Jacob Turney, of the same place, two hundred and fifty shares; George Dorn, of the same place, two hundred and fifty shares; John C. McCausland, of the same place, two hundred and fifty shares; Israel Uncapher, of the same place, fifty shares; Edward J. Keenan, of the same place, two hundred and fifty shares; William Dixon, of the same place, two hundred and fifty shares; Samuel Long of Westmoreland county, Pennsylvania, five hundred and twenty-two shares; William A. Stokes, of the same county, two hundred and fifty shares; John P. Kilgore, of Venango county, Pennsylvania, five hundred and twenty-three shares; Alexander J. Keenan, of the same county, two hundred and fifty shares; Alexander Kilgore, of Ludwick, Pennsylvania, five hundred and twenty-two shares; William Welsh, of the same place, five hundred and twenty-three shares; John Hugus, of Salem, Pennsylvania, five hundred and twenty-two shares; Simon Hugus, of the same place, five hundred and twenty-three shares; John A. Meredith, of Pittsburgh, Pennsylvania, five hundred and twenty-three shares; Jay Cadwell, of Lancaster, Pennsylvania, five hundred and twenty-three shares; John L. Chambers, of Latrobe, Pennsylvania, five hundred shares; Castner Hanway, of the same place, five hundred shares; Joseph Walthour, of Adamsburgh, Pennsylvania, two hundred and fifty shares; Elias Shotts, of the same place, seventy-five shares; Joseph M. Stephenson, of the same place, seventy-five shares; Richard Coulter, of Greensburg, Pennsylvania, three hundred shares; and John P. Clarke, of Wirt county, West Virginia, three hundred and seventy-five shares.

Given under our hands, this twenty-fourth day of January, in the year eighteen hundred and sixty-five.

[Signed,]

WELSH, EVANS & Co., by their President, Jas. C. Clarke.	JOHN HUGUS, by his att'y in fact, Simon Hugus.
JAS. C. CLARKE,	ALEXANDER J. KEENAN, by his att'y in fact, E. J. Keenan.
JOHN P. CLARKE, by his att'y in fact, Jas. C. Clarke.	ALEX. KILGORE, GEORGE DORN, WILL. A. STOKES, JOHN A. MEREDITH, by his att'y in fact, Alex. Kilgore.
EDWARD J. KEENAN,	J. M. STEVENSON, JAY CADWELL.
SAMUEL LONG, ISRAEL UNCAPHER.	ELIAS SHOTTS, by his att'y in fact, J. Uncapher.
J. J. HAZLETT.	J. C. MCCAUSLAND, C. HANWAY, JOHN L. CHAMBERS, by his att'y in fact, C. Hanway.
WM. DIXON, R. COULTER.	
JOS. WALTHOUR.	
JAC. TURNAY.	
JOHN P. KILGORE.	
W. L. EVANS.	
WM. WELSH.	
ROBERT BLACK.	
SIMON HUGUS.	

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twenty-fourth day of June, eighteen hundred and eighty-five, 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 Wheeling, this twenty-eighth day of September, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
Secretary of the State.

## THE MECHANICS OIL COMPANY.

I, Granville D. Hall, secretary 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 Mechanics Oil Company,' for the purpose of boring for oil, salt, or other minerals, refining the same, or preparing it for market, carrying the same to market. Which company shall keep its principal office or place of business at Pittsburgh, in the county of Allegheny, state of Pennsylvania, and is to expire on the fifteenth day of August, A. D. (1885) one thousand eight hundred and eighty five. And for the purpose of forming said corporation, we have subscribed the sum of sixty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of six thousand dollars, and desire the privilege of increasing the said capital by sales 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 one dollar each, which are held by the undersigned, respectively, as follows: that is to say, by J. H. Campbell and James McLain, trading under the name of Campbell & McLain, of Allegheny county, fifteen thousand shares of one dollar each; John McLain, of Indiana county, Pennsylvania, three thousand shares; Henderson Howard, three thousand shares, Indiana county, Pennsylvania; W. W. Nesbit, of Indiana county, Pennsylvania, three thousand shares; Hugh Flinn, of Armstrong county, Pennsylvania, three thousand shares; G. H. Ronshausen, of Pittsburgh, three thousand shares; Samuel Isaat, of Indiana county, Pennsylvania, three thousand shares; James M. Burns of Pittsburgh, three thousand shares; A. Knipschild, Pittsburgh, three thousand shares; John G. Krebs, of Allegheny county, three thousand shares; F. E. Goodell, three thousand shares; J. H. Campbell, of Pittsburgh, fifteen thousand shares. And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands and seals, this fifteenth day of August, A. D., eighteen hundred and sixty-five.

[Signed with seals,]

JNO. MCLAIN,  
 HENDERSON C. HOWARD,  
 WM. W. NESBITT,  
 JAS. M. BURNS,  
 G. H. RONSHAUSEN,  
 J. H. CAMPBELL,  
 JAMES MCLAIN,  
 A. KNIPSCHILD,  
 SAMUEL ISAAT,  
 HUGH FLYNN,  
 JOHN G. KREBS,  
 F. E. GOODELL."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the fifteenth day of August, eighteen hundred and eighty-five, 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 Wheeling, this nineteenth day of September, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
 Secretary of the State.

## THE WOODGROVE OIL COMPANY.

I, Granville D. Hall, secretary 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 Woodgrove Oil Company,' for the purpose of mining for and developing petroleum and coal oil in and upon a tract or tracts of land in Monongalia county, in the state of West Virginia; which corporation shall keep its principal office or place of business in the borough of Pottsville, in the county of Schuylkill and state of Pennsylvania, and is to expire on the first day of August, in the year of our Lord, one thousand eight hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and twenty thousand dollars to the capital thereof, and have paid in on said subscription the sum of twelve thousand dollars, and desire the privilege of increasing the said capital by sales 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 undersigned, respectively, as follows, that is to say: William Milnes, jr., Pottsville, Pennsylvania, four thousand shares; William H. Shaeffer, Pottsville, Pennsylvania, four thousand shares; Walter S. Shaeffer, Pottsville, Pennsylvania, twenty-four hundred shares; Amos M. Allen, Pottsville, Pennsylvania, sixteen hundred shares; Thomas Johns, St. Clair, Pennsylvania, sixteen hundred shares; George T. Johns, St. Clair, Pennsylvania, sixteen hundred shares; James A. Inness, Pottsville, Pennsylvania, eight hundred shares; Mary Inness, Pottsville, Pennsylvania, eight hundred shares; Joseph P. Houck, Pottsville, Pennsylvania, eight hundred shares; William D. Hodgson, Pottsville, Pennsylvania, eight hundred shares; Silas Ball, Pottsville, Pennsylvania, eight hundred shares; Charles Barlet, Pottsville, Pennsylvania, eight hundred shares; Henry H. Huntzinger, Pottsville, Pennsylvania, eight hundred shares; Jabez Sparks, Pottsville, Pennsylvania, eight hundred shares; Jasper Snell, Pottsville, Pennsylvania, four hundred shares; Daniel Shieley, Pottsville, Pennsylvania, four hundred shares; Emily Pollock, Pottsville, Pennsylvania, eight hundred shares; Daniel S. Althouse, Pottsville, Pennsylvania, eight hundred shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this thirtieth day of August, A. D., eighteen hundred and sixty-five.

[Signed,]

WM. MILNES, JR.,  
W. H. SHEAFER,  
W. S. SHEAFER,  
AMOS M. ALLEN,  
THOMAS JOHNS,  
GEORGE T. JOHNS,  
JAMES A. INNESS,  
MARY W. B. INNESS,  
JOSEPH P. HOUCK,

WILLIAM D. HODGSON,  
SILAS BALL,  
CHARLES BARLET,  
HENRY H. HUNTZINGER,  
JABEZ SPARKS,  
DANIEL SCHEIFLEY,  
EMILY C. POLLOCK,  
D. S. ALTHOUSE,  
JASPER SNELL."

Wherefore, the incorporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of August, eighteen hundred and eighty-five, 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 Wheeling, this second day of October, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### THE PAINT CREEK AND RITCHIE COUNTY OIL AND MINING COMPANY.

I, Granville D. Hall, secretary of the state of West Virginia, hereby certify that George B. Westcott, president of The Paint Creek and Ritchie County Oil and Mining Company, a corporation formed under the laws of said state, has, in the manner thereby prescribed, certified to me that at a meeting of the stockholders of the said corporation, held in Baltimore, Md., on Monday, the second of October, eighteen hundred and sixty-five, the following resolution was adopted, to-wit:

Resolved, That the capital stock of The Paint Creek and Ritchie County Oil and Mining Company be increased by the additional issue of one hundred and fifty thousand shares, at two dollars per share, making the whole number of shares four hundred thousand, and the capital eight hundred thousand dollars in all.

Wherefore, I hereby declare that the proposed increase of the capital stock of the said corporation is authorized in law, and that the said capital stock is hereafter to consist of four hundred thousand shares of the value of two dollars each.

Given under my hand and the great seal of the said state, at the city of Wheeling, this tenth day of October, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### THE HOWARD IRON WORKS.

I, Granville D. Hall, secretary 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 Howard Iron Works,' for the purpose of manufacturing wrought iron welded tubes for gas, steam and water, and oil well tubing; also water, steam and gas fittings; which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, state of West Va., and is to expire on the tenth day of October, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of ten thousand five hundred (\$10,500) dollars to the capital thereof, and have paid in on said subscriptions the sum of one thousand and fifty dollars, and

desire the privilege of increasing the said capital by sales 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: Eugenius A. Hildreth, twenty-five shares; Jno. A. Armstrong, twenty-five shares; Philander C. Hildreth, twenty-five shares; Joseph W. June, ten shares; Alex'r Hukill, ten shares; Robert H. Gillespy, ten shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this tenth day of October, eighteen hundred and sixty-five.

[Signed,]

JNO. A. ARMSTRONG,  
EUGENIUS A. HILDRETH,  
ALEXANDER HUKILL,  
J. W. JUNE,  
ROBERT H. GILLESPY,  
PHILANDER C. HILDRETH."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the tenth day of October, eighteen hundred and eighty-five, 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 the city of Wheeling, this eleventh day of October, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### THE BENWOOD IRON WORKS.

I, Granville D. Hall, secretary of the state of West Virginia, hereby certify that E. M. Norton, President of the Benwood Iron Works, of Wheeling, West Virginia, a corporation founded under the laws of said state, has, in the manner thereby prescribed, certified to me, that on Monday, the twenty-fifth day of September, eighteen hundred and sixty-five, at a general meeting of the stockholders, representing a majority of the stock of the said corporation, the following resolution was adopted, to-wit:

"Resolved, That this company shall hereafter be known and recognized as the Benwood Iron Works, and that application be made for change in name, as contemplated in the thirteenth section of the law of this state, in relation to corporations."

Wherefore, I hereby declare that the said corporation is to be hereafter known as the Benwood Iron Works.

Given under my hand and the great seal of the said state, at the city of Wheeling, this twelfth day of October, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE WESTMORELAND PETROLEUM COMPANY.

I, Granville D. Hall, secretary 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 Westmoreland Petroleum Company,' for the purpose of buying and leasing of oil territory, for boring, excavating and mining for petroleum, rock oil or carbon oil, and buying and selling the same; which corporation shall keep its principal office or place of business at Burning Springs, in the county of Wirt, state of West Virginia, and is to expire on the third day of October, A. D., eighteen hundred and eighty-five, to-wit: at the expiration of twenty years from the date of this incorporation. 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. The capital so subscribed is divided into shares of ten dollars (\$10) each, which are held by the undersigned, respectively, as follows: two thousand shares by each of the parties subscribing hereto.

Given under our hands at Burning Springs, West Virginia, this third day of October, A. D., eighteen hundred and sixty-five.

[Signed with seals.]

EDWARD H. WHITE,  
*Coldwater, Michigan,*  
CYRUS S. NULL,  
*Westmoreland county, Pa.,*  
CHRISTOPHER P. RUFF,  
*Westmoreland county, Pa.,*  
CHRISTOPHER FOX,  
*Westmoreland county, Pa.,*  
GEORGE H. WHITE,  
*Coldwater, Michigan."*

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the third day of October, eighteen hundred and eighty-five, 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 Wheeling, this twenty-third day of October, eighteen hundred and sixty-five.

SEAL

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE CHICAGO AND WEST VIRGINIA OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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 Chicago and West Virginia Oil and Mining Company,' for the purpose of boring for petroleum oils, and for mining coal and iron, and such business as



is incident to the foregoing branches; which corporation shall keep its principal office or place of business at the city of Chicago, in the county of Cook, in the state of Illinois, and is to expire on the tenth day of July, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of twenty-six thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty-six thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to three hundred thousand dollars in all. The capital so subscribed is divided into twenty-six hundred (2,600) shares, of ten dollars each, which are held by the undersigned, respectively, as follows: that is to say, James E. Tyler, two hundred shares; John Clough, two hundred shares; James K. Burtis, two hundred shares; John Mitchell, one hundred shares; Wm. H. Kretsinger, one hundred shares; Alfred Bellany, two hundred shares; Charles F. Grey, one hundred shares; James C. Parsons, one hundred shares; Samuel D. Hovey, two hundred shares; Arthur B. Meeker, one hundred shares; Wm. L. Grey, fifty shares; John M. Clark, fifty shares; Abner Tibbetts, one hundred shares; E. Ashley Mears, one hundred shares; John J. Pearce, fifty shares; Schuyler S. Benjamin, fifty shares; Cyrus B. Lewis, fifty shares; Edgar Loomis, fifty shares; Henry B. Bryant, fifty shares; John V. Farewell, three hundred and fifty shares; Samuel C. Griggs, one hundred shares; William B. Boyington, one hundred shares. And the capital to be hereafter sold is to be divided into shares of the like amount. i. e., twenty-seven thousand four hundred shares, of ten dollars each.

Given under our hands, this tenth day of July, eighteen hundred and sixty-five.

[Signed.]

JAMES E. TYLER,  
JOHN CLOUGH,  
JAMES K. BURTIS,  
JOHN MITCHELL,  
W. H. KRETSINGER.  
ALFRED BELLANY,  
CHARLES F. GREY,  
JAMES C. PARSONS,  
SAMUEL D. HOVEY,  
A. B. MEEKER,  
WM. L. GREY,  
JOHN M. CLARK,

ABNER TIBBETT,  
E. ASHLEY MEARS,  
JOHN QUINCY PEARCE,  
SCHUYLER S. BENJAMIN,  
CYRUS B. LEWIS,  
EDGAR LOOMIS,  
by Mrs. Edgar Loomis,  
HENRY B. BRYANT,  
JOHN V. FAREWELL,  
S. C. GRIGGS,  
WM. W. BOYINGTON."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the tenth day of July, eighteen hundred and eighty-five, 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 Wheeling, this twenty-third day of October, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## FIRST MUTUAL STORE ASSOCIATION OF WHEELING.

I, Granville D. Hall, secretary 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 'First Mutual Store Association of Wheeling,' for the purpose of better enabling its members to purchase food, fuel, clothing and other necessaries, by carrying on in common the trades of general and retail dealers, producers, mining and manufacturing. Which corporation shall keep its principal office or place of business in Wheeling, county of Ohio, and is to expire on the first day of October, eighteen hundred and eighty-five. 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 the said subscriptions the sum of eight hundred and seventy-three dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to two 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. C. Trimble, ten shares; Sam'l J. Alexander, ten shares; J. A. Lancaster, ten shares; John R. Doyle, ten shares; D. J. Smith, three shares; William Wetzel, ten shares; Isaac Hoplin, ten shares; Thomas Kasey, one share; Henry C. Taylor, ten shares; James Stafford, five shares; (Illegible,) three shares; Andrew J. McNash, two shares; John Henderson, five shares; Jas. S. Barton, two shares; William Manion, one share; B. Higgins, five shares; Alfred D. Work, ten shares; Louis Kock, five shares; John S. Cox, ten shares; Wm. H. Cox, ten shares; Dennis Savery, ten shares; Joseph Schaler, ten shares; Porter Smith, five shares; Charles Rust, five shares; G. W. Hamilton, ten shares; W. M. Creighton, one share; Lott H. Joy, five shares; A. L. Wetherolde, ten shares; William Gregg, five shares; G. G. Murdock, two shares; Hermann Renner, five shares; John Holt, five shares; B. Shauloy, three shares; Wm. N. Kennedy, three shares; Robert White, ten shares; Henry Moenkmoeller, ten shares; James A. Johnson, two shares; S. A. Whiteside, five shares; N. H. Van Cleve, one share; J. Fisher, ten shares; John Osterling, ten shares; John C. Hervey, one share; Sebastian Voght, ten shares; Gustavus Rust, five shares; Jacob Harlan, ten shares; George Carenbauer, ten shares; M. E. Wims, five shares. 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 October, eighteen hundred and sixty-five.

[Signed,]

Geo. C. TRIMBLE,  
SAML J. ALEXANDER,  
J. A. LANCASTER,  
JOHN R. DOYLE,  
D. J. SMITH,  
WILLIAM WETZEL,  
ISAAC KOPLIN,  
THOMAS KASEY,  
HENRY C. TAYLOR,  
JAMES STAFFORD,  
(ILLEGIBLE),  
ANDREW J. MCNASH,  
JOHN HENDERSON,  
JAS. S. BARTON,  
WILLIAM MANION,  
B. HIGGINS,

ALFRED D. WORN,  
LOUIS KOCK,  
JOHN S. COX,  
WILLIAM H. COX,  
DENNIS SAVERY,  
JOSEPH SCHALER,  
G. W. HAMILTON,  
W. M. CREIGHTON,  
LOTT H. JOY,  
A. L. WETHEROLD,  
WM. GREGG,  
G. G. MURDOCK,  
HERMAN RENNER,  
JOHN HOLT,  
B. SHAULAY,  
WM. N. KENNEDY,

ROBERT WHITE,  
HENRY MOENKMOELLER,  
JAMES A. JOHNSON,  
S. M. WHITESIDE,  
N. H. VAN CLEVE,  
J. FISHER,  
JOHN OSTERLING,  
JOHN C. HERVEY,  
SEBASTIAN VOGHT,  
GUSTAVUS RUST,  
JACOB HARLAN,  
GEO. CARENBAUER,  
PORTER SMITH,  
M. E. WIMS,  
CHARLES RUST."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of October, eighteen hundred and eighty-five, 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 Wheeling, this twenty-fourth day of October, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

### THE ATLANTIC PETROLEUM COMPANY OF PITTSBURGH.

I, Granville D. Hall, secretary 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 Atlantic Petroleum Company of Pittsburgh,' for the purpose of mining, boring and digging for, or otherwise obtaining from the earth, petroleum, rock or carbon oils, and transporting and vending the same. The mining and other aforesaid operations of the said corporation are to be conducted and carried on upon the lands of the said corporation in Union township, county of Monongalia, and state of West Virginia. Which corporation shall keep its principal office or place of business in the city of Pittsburgh, in the state of Pennsylvania, and is to expire on the thirty-first day of October, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and fifty thousand dollars to the capital thereof, and have paid in on said subscription the sum of fifteen thousand dollars, and desire the privilege of increasing the said capital by sales 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 one dollar each, which are held by the undersigned, respectively, as follows: that is to say, by William John Radcliff, Pittsburgh, Pennsylvania, one hundred and twenty-five thousand (125,000) shares; Richard Brankstone, Pittsburgh, Pennsylvania, ten thousand (10,000) shares; William Whiteley Herron, Pittsburgh, Pennsylvania, five thousand (5,000) shares; John Henry Shellabarger, Pittsburgh, Pennsylvania, five thousand (5,000) shares; Junius Brutus Flack, Pittsburgh, Pennsylvania, five thousand (5,000) shares. 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 October, eighteen hundred and sixty five.

[Signed,]

WILLIAM JOHN RADCLIFF,  
RICHARD BRANKSTONE,  
WM. W. HERRON,  
J. HENRY SHELABERGER,  
JUNIUS BRUTUS FLACK."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the thirty-first day of October, eighteen hundred and eighty-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of said state, at Wheeling, this third day of November, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

THE WEST VIRGINIA MINING AND MANUFACTURING COMPANY.

I, Granville D. Hall, secretary 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 Mining and Manufacturing Company,’ for the purpose of mining and disposing of minerals and oil; for manufacturing illuminating and lubricating oils, benzine, naphtha, lamp wicks, lamp chimneys and tops; for manufacturing aniline colors, varnish and soap, from petroleum; and for selling all of the above mentioned articles. Which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, state of West Virginia, and is to expire on the eighth day of November, eighteen hundred and eighty-five. And for the purpose of forming the said corporation we have subscribed the sum of seventeen thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of seventeen hundred dollars, and desire the privilege of increasing the said capital by sales 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 Truman M. Dodson, of Wheeling, West Va., fifty shares; Jos. H. Connelly, of Wheeling, West Va., ten hundred shares; Mason W. Burt, of Taunton, Mass., five hundred shares; Wm. B. Simpson, of Wheeling, one hundred shares; Jacob Berger, of Wheeling, West Va., fifty shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this eighth day of November, eighteen hundred and sixty-five.

[Signed,]

TRUMAN M. DODSON,  
JOS. H. CONNELLY,  
MASON W. BURT,  
W. B. SIMPSON.  
J. BERGER.”

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the eighth day of November, eighteen hundred and eighty-four, 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 Wheeling, this tenth day of November, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE TRI-MOUNTAIN OIL AND MINING COMPANY.

I, Grauville D. Hall, secretary 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:

“Commonwealth of Massachusetts, Suffolk, ss; City of Boston: Be it known that we, the undersigned, in pursuance of and in conformity with the act of the legislature of the state of West Virginia, entitled ‘An act providing for the formation of corporations and regulating the same,’ passed October twenty-sixth, eighteen hundred and sixty-three, and the several acts amendatory thereof and in addition thereto, do hereby agree to become a corporation by the name of ‘The Tri-Mountain Oil and Mining Company,’ for the purpose of mining, manufacturing and vending oils and minerals. Which corporation shall keep its principal office or place of business at Boston aforesaid, and a portion of its business to be conducted in Lewis county, West Virginia, and is to expire on the thirty-first day of December, Anno Domini eighteen hundred and eighty-four. And for the purpose of forming the said corporation, we have subscribed the sum of fifty-six thousand dollars to the capital thereof, and have paid in on said subscription the sum of fifty-six thousand dollars, and we 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 one hundred dollars each, which are held by the undersigned, respectively, as follows: that is to say, by Robert H. Waters, one hundred and twenty shares, (\$12,000); Luther H. Felton, one hundred and twenty shares, (\$12,000); William W. Moreland, eighty shares, (\$8,000); Henry S. Jones, eighty shares, (\$8,000); Richard H. Salter, eighty shares, (\$8,000); Francis McLaughlin, forty shares, (\$4,000); Joseph A. Laforme, forty shares, (\$4,000); in all five hundred and sixty shares, and fifty-six thousand dollars. 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 November, Anno Domini, eighteen hundred and sixty-five.

[Signed,]

ROBERT H. WATERS,  
LUTHER H. FELTON,  
WM. W. MORELAND,  
HENRY S. JONES,  
RICHARD H. SALTER,  
FRANCIS McLAUGHLIN,  
JOS. A. LAFORME.”

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the thirty-first day of December, eighteen hundred and eighty-four, 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 Wheeling, this fourteenth day of November, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

*Corporations.*

## THE WHEELING PARK.

I, Granville D. Hall, secretary 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 Park,' for the purpose of erecting skating ponds, drives and place of recreation and amusement; 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 November, A. D. eighteen hundred and eighty-five. And for the purpose of forming said corporation, we have subscribed the sum of two hundred and twenty-five dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty-two dollars and fifty-cents, and desire the privilege of increasing the said capital by sales 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: that is to say, by D. E. Donel, of Wheeling, W. Va., one share; J. A. Metcalf, of Wheeling, W. Va., one share, T. C. McAfee, of Wheeling, W. Va., one share; John F. Hopkins, of Wheeling, W. Va., one share; Samuel Harper, of Wheeling, W. Va., one share; J. C. Orr, of Wheeling, W. Va., one share; James T. Scott, of Wheeling, W. Va., one share; A. J. Sweeney, of Wheeling, W. Va., one share; G. W. Jeffers, 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 the fifteenth day of November, eighteen hundred and sixty-five.

[Signed,]

D. E. DONEL,  
J. A. METCALF,  
T. C. McAFEE,  
J. F. HOPKINS,  
SAM'L HARPER,  
J. C. ORR,  
JAMES T. SCOTT,  
A. J. SWEENEY,  
G. W. JEFFERS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of November, eighteen hundred and eighty-five, 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 the city of Wheeling, this fifteenth day of November, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## THE POINT PLEASANT WOOLEN MANUFACTURING COMPANY.

I, Granville D. Hall, secretary 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 Woolen Manufacturing Company,' for the purpose of manufacturing all kinds of woolen fabrics; which corporation shall keep its principal office or place of business at Point Pleasant, in the county of Mason, state of West Virginia, and is to expire on the fifteenth day of November, eighteen hundred and eighty-five. And for the purpose of forming the said corporation, we have subscribed the sum of twenty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of two thousand dollars, and desire the privilege of increasing the said capital by sales 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, as follows: that is to say, by Charles Minturn, of Gallipolis, Ohio, ten shares; James Capehart, of Point Pleasant, West Virginia, thirty shares; Hutchison McDaniel, of Point Pleasant, West Virginia, ten shares; Taliaferro Stribling, of Point Pleasant, West Virginia, ten shares; Charles P. T. Moore, of Point Pleasant, West Virginia, ten shares; Robert K. McCausland, of Point Pleasant, West Virginia, twenty shares; James H. Hooff, of Point Pleasant, West Virginia, ten shares; John McCulloch, of Mason county, West Virginia, ten shares; John Hall, of Point Pleasant, West Virginia, ten shares; Peter S. Lewis, of Mason county, West Virginia, ten shares; John W. Steenbergen, of said county, ten shares; Presley C. Eastham, of said county, ten shares; John McCulloch, sen., of said county, ten shares; William O. Roseberry, of Jackson county, West Virginia, ten shares; George W. Setszer, of Point Pleasant, Mason county, West Virginia, ten shares; Thomas Ball, of said Mason county, ten shares; Charles T. Beale, of said Mason county, 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 August, eighteen hundred and sixty-five.

[Signed,]

JAMES CAPEHART,  
H. MCDANIEL,  
T. STRIBLING,  
C. P. T. MOORE,  
R. K. MCCAUSLAND,  
JAS. H. HOOFF,  
J. D. MCCULLOCH,  
JOHN HALL,  
PETER S. LEWIS,

J. W. STEENBERGEN,  
PRESLEY C. EASTHAM,  
JOHN MCCULLOCH, SEN.,  
CHARLES R. MINTURN,  
W. O. ROSEBERRY,  
G. W. SETSER,  
THOMAS BALL,  
CHARLES T. BEALS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the fifteenth day of November, eighteen hundred and eighty-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, at the city of Wheeling, this fifteenth day of November, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### THE WHITE OAK OIL COMPANY.

I, Granville D. Hall, secretary of the state of West Virginia, hereby certify that Thomas Craven, president of The Sand Hill and Mud Lick Oil Company, a corporation formed under the laws of said state, has, in the manner thereby prescribed, certified to me that on the ——— day of November, A. D., eighteen hundred and sixty-five, at a general meeting of the stockholders, representing a majority of the stock of the said corporation, the following resolution was adopted :

Resolved, That the name of the Sand Hill and Mud Lick Oil Company, incorporated by the certificate of the secretary of the state of West Virginia, dated the first day of May, A. D., eighteen hundred and sixty-five, in pursuance of the laws thereof, be changed, and that hereafter the said corporation be known by the corporate name and title of "The White Oak Oil Company."

Wherefore, I hereby declare the proposed change of name authorized in law, and that the said corporation is to be hereafter known by the name of "The White Oak Oil Company."

Given under my hand and the great seal of the said state, at the city of Wheeling, this eighteenth day of November, eighteen hundred and sixty-five.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### VETERAN PETROLEUM OIL COMPANY.

I, Granville D. Hall, secretary 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 'Veteran Petroleum Oil Company,' for the purpose of operating in and carrying on the business of mining, excavating, pumping, manufacturing, buying and selling of coal, salt, carbon oil or rock oil, (commonly known as petroleum,) and for holding real estate, lands, houses, machinery and everything else necessary for conducting said business of mining, excavating, pumping, buying and selling coal, oil, salt, carbon oil, rock oil, lands, houses, machinery, &c., so far as is compatible with the laws of the state of West Virginia, 'providing for the formation of corporations and regulating the same ;' 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 eighth day of June, eighteen hundred and eighty-five. And for the purpose of forming said corporation, we have subscribed the sum of fifty-five hundred dollars to the capital thereof, and have paid in on said subscriptions



## THE TRI-MOUNTAIN OIL AND MINING COMPANY.

I, Granville D. Hall, secretary 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:

“Commonwealth of Massachusetts, Suffolk, ss; City of Boston: Be it known that we, the undersigned, in pursuance of and in conformity with the act of the legislature of the state of West Virginia, entitled ‘An act providing for the formation of corporations and regulating the same,’ passed October twenty-sixth, eighteen hundred and sixty-three, and the several acts amendatory thereof and in addition thereto, do hereby agree to become a corporation by the name of ‘The Tri-Mountain Oil and Mining Company,’ for the purpose of mining, manufacturing and vending oils and minerals. Which corporation shall keep its principal office or place of business at Boston aforesaid, and a portion of its business to be conducted in Lewis county, West Virginia, and is to expire on the thirty-first day of December, Anno Domini eighteen hundred and eighty-four. And for the purpose of forming the said corporation, we have subscribed the sum of fifty-six thousand dollars to the capital thereof, and have paid in on said subscription the sum of fifty-six thousand dollars, and we 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 one hundred dollars each, which are held by the undersigned, respectively, as follows: that is to say, by Robert H. Waters, one hundred and twenty shares, (\$12,000); Luther H. Felton, one hundred and twenty shares, (\$12,000); William W. Moreland, eighty shares, (\$8,000); Henry S. Jones, eighty shares, (\$8,000); Richard H. Salter, eighty shares, (\$8,000); Francis McLaughlin, forty shares, (\$4,000); Joseph A. Laforme, forty shares, (\$4,000); in all five hundred and sixty shares, and fifty-six thousand dollars. 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 November, Anno Domini, eighteen hundred and sixty-five.

[Signed,]

ROBERT H. WATERS,  
LUTHER H. FELTON,  
WM. W. MORELAND,  
HENRY S. JONES,  
RICHARD H. SALTER,  
FRANCIS McLAUGHLIN,  
JOS. A. LAFORME.”

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the thirty-first day of December, eighteen hundred and eighty-four, 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 Wheeling, this fourteenth day of November, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## THE WHEELING PARK.

I, Granville D. Hall, secretary 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 Park,’ for the purpose of erecting skating ponds, drives and place of recreation and amusement; 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 November, A. D. eighteen hundred and eighty-five. And for the purpose of forming said corporation, we have subscribed the sum of two hundred and twenty-five dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty-two dollars and fifty-cents, and desire the privilege of increasing the said capital by sales 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: that is to say, by D. E. Donel, of Wheeling, W. Va., one share; J. A. Metcalf, of Wheeling, W. Va., one share, T. C. McAfee, of Wheeling, W. Va., one share; John F. Hopkins, of Wheeling, W. Va., one share; Samuel Harper, of Wheeling, W. Va., one share; J. C. Orr, of Wheeling, W. Va., one share; James T. Scott, of Wheeling, W. Va., one share; A. J. Sweeney, of Wheeling, W. Va., one share; G. W. Jeffers, 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 the fifteenth day of November, eighteen hundred and sixty-five.

[Signed,]

D. E. DONEL,  
J. A. METCALF,  
T. C. McAFEE,  
J. F. HOPKINS,  
SAM'L HARPER,  
J. C. ORR,  
JAMES T. SCOTT,  
A. J. SWEENEY,  
G. W. JEFFERS.”

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of November, eighteen hundred and eighty-five, 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 the city of Wheeling, this fifteenth day of November, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

Given under my hand and the great seal of the said state, at the city of Wheeling, this twelfth day of January, eighteen hundred and sixty-six.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

ALUM CAVE OIL COMPANY.

I, Granville D. Hall, secretary 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 following words and figures:

"The undersigned agree to become a corporation by the name of the 'Alum Cave Oil Company,' of West Virginia, for the purpose of mining and boring for petroleum and other minerals, and of dealing in the same, within the territorial limits of the state of West Virginia; which corporation shall keep its principal office or place of business at Parkersburg, in the county of Wood, and is to expire on the first day of January, eighteen hundred and eighty-six. 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 subscription the sum of twenty-five thousand 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 five hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say: by Jno. M. Wallace, of Brooklyn, New York, ten shares; R. K. Randolph, of Ritchie county, W. Va., sixteen shares; A. Gunnison, of Ritchie county, W. Va., ten shares; R. H. How, of Grafton, W. Va., ten shares; John Bradley, of Grafton, W. Va., four 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 January, A. D., eighteen hundred and sixty-six.

[Signed,]

JOHN M. WALLACE,  
R. K. RANDOLPH,  
A. GUNNISON,  
ROB. H. HOW,  
JOHN BRADLEY."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of January, eighteen hundred and eighty-six, 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 the city of Wheeling, this thirteenth day of January, eighteen hundred and sixty-six.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE NORWAY IRON MANUFACTURING COMPANY.

I, Granville D. Hall, secretary of the state of West Virginia, hereby certify that William Hastings, president *pro tem.* of the Norway Iron Tack Company, a corporation formed under the laws of said state, has, in the manner thereby prescribed, certified to me that on the second day of January, eighteen hundred and sixty-six, at a general meeting of the stockholders, representing a majority of the stock of the said corporation, the following resolution was adopted:

Resolved, That the name of the corporation be changed from the Norway Iron Tack Company to the Norway Iron Manufacturing Company.

Wherefore, I hereby declare the proposed change of name authorized in law, and that the said corporation is to be hereafter known by the name of "The Norway Iron Manufacturing Company."

Given under my hand and the great seal of the said state, at the city of Wheeling, this thirteenth day of January, eighteen hundred and sixty-six.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE PARKERSBURG FOUNDRY AND MACHINE WORKS.

I, Granville D. Hall, secretary 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 Parkersburg Foundry and Machine Works,' for the purpose of manufacturing stoves, grates, hollow-ware, and every other description of castings; also for the purpose of building and repairing engines; also for the purpose of constructing and manufacturing all kinds of tools, instruments, implements and every article of every name, kind and description whatsoever, that can be manufactured with or out of wood, iron, brass, copper, or any other kind of material of any name, kind or description whatsoever, including every article that can be manufactured out of or from any material or growth, either vegetable or mineral, that this corporation may think proper to use in any way whatever, and selling and vending the same at pleasure; and also for the purpose of purchasing and holding such real estate as may be lawful for the purposes of said corporation, and erecting thereon all necessary buildings and machinery for its purposes; which corporation shall keep its principal office or place of business at the city of Parkersburg, in the county of Wood, in the state of West Virginia, and is to expire on the tenth day of January, eighteen hundred and eighty-six. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred thousand dollars to the capital stock thereof, and have paid in on said subscription the sum of fifteen thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to the sum of 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 Johnson N. Camden,

the sum of fifty-five hundred dollars, and desire the privilege of increasing said capital by sales of additional shares from time to time, to thirty 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, Alexander H. Mitchell, Jefferson county, Pennsylvania, has ten shares; R. S. Horrell, of Hollidaysburg, Pa., has ten shares; Charles A. Folsom, Boston, Massachusetts, has twenty-five shares; Joseph A. Tysen, of Allegheny, Pa., has five shares; N. McIntosh, Newry, Blair county, Pa., has five shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this fifteenth day of November, eighteen hundred and sixty-five.

[Signed.]

A. H. MITCHELL,  
R. S. HORRELL,  
CHAS. A. FOLSOM,  
JOSEPH A. TYSON,  
H. MCINTOSH."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the eighth day of June, eighteen hundred and eighty-five, 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 the city of Wheeling, this sixth day of December, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

#### WEST VIRGINIA GLASS WORKS.

I, Granville D. Hall, secretary 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 'West Virginia Glass Works,' for the purpose of manufacturing and selling all kinds of hollow glass ware, flint or white glass ware, and window glass; which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, state of West Virginia, and is to expire on the twentieth day of December, eighteen hundred and eighty-five (1885.) And for the purpose of forming the said corporation, we have subscribed the sum of sixty-five hundred (\$6,500) dollars to the capital thereof, and have paid in on said subscriptions the sum of six hundred and fifty 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 one hundred dollars each, which are held by the undersigned, respectively, as follows: that is to say, by Alex. C. Quarrier, of Wheeling, West Va., ten shares; Robert A. McCabe, of Wheeling, West Va., ten shares; William Kraft, of Wheeling, West Va., ten shares; Jacob Harlan, of Wheeling, West Va., fifteen shares; and Marcus W. Echols, of Wheeling, West 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 twentieth day of December, eighteen hundred and sixty-five.

[Signed,]

A. C. QUARRIER,  
R. A. McCABE,  
WM. KRAFT,  
JACOB HARLAN,  
M. W. ECHOLS."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twentieth day of December, eighteen hundred and eighty-five, 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 Wheeling, this twentieth day of December, eighteen hundred and sixty-five.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

#### MOUNT FARM COAL AND OIL COMPANY.

I, Granville D. Hall, secretary 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 'Mount Farm Coal and Oil Company,' for the purpose of mining for coal, and for petroleum and oil; which corporation shall keep its principal office or place of business at Petroleum, in the county of Wood, and is to expire on the twelfth day of January, one thousand eight hundred and sixty-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 six thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to one hundred and twenty 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 James M. Rorer, Philadelphia, one thousand shares; E. C. Markley, Philadelphia, one thousand shares; Jas. S. Watson, Philadelphia, one thousand shares; H. C. Kennedy, Philadelphia, one thousand shares; Francis D. Watson, Philadelphia, one thousand shares; Benj. P. Archer, Philadelphia, one thousand shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands the fourth day of January, A. D., one thousand eight hundred and sixty-six.

[Signed,]

F. D. WATSON,  
E. C. MARKLEY,  
B. F. ARCHER,  
H. C. KENNEDY,  
J. C. WATSON,  
JAMES M. RORER."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the twelfth day of January, eighteen hundred and eighty-six, 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 the city of Wheeling, this twelfth day of January, eighteen hundred and sixty-six.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

#### ALUM CAVE OIL COMPANY.

I, Granville D. Hall, secretary 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 following words and figures:

"The undersigned agree to become a corporation by the name of the 'Alum Cave Oil Company,' of West Virginia, for the purpose of mining and boring for petroleum and other minerals, and of dealing in the same, within the territorial limits of the state of West Virginia; which corporation shall keep its principal office or place of business at Parkersburg, in the county of Wood, and is to expire on the first day of January, eighteen hundred and eighty-six. 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 subscription the sum of twenty-five thousand 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 five hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say: by Jno. M. Wallace, of Brooklyn, New York, ten shares; R. K. Randolph, of Ritchie county, W. Va., sixteen shares; A. Gunnison, of Ritchie county, W. Va., ten shares; R. H. How, of Grafton, W. Va., ten shares; John Bradley, of Grafton, W. Va., four 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 January, A. D., eighteen hundred and sixty-six.

[Signed,]

JOHN M. WALLACE,  
R. K. RANDOLPH,  
A. GUNNISON,  
ROB. H. HOW,  
JOHN BRADLEY."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be from this date until the first day of January, eighteen hundred and eighty-six, 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 the city of Wheeling, this thirteenth day of January, eighteen hundred and sixty-six.

SEAL.

GRANVILLE D. HALL,  
*Secretary of the State.*

## THE NORWAY IRON MANUFACTURING COMPANY.

I, Granville D. Hall, secretary of the state of West Virginia, hereby certify that William Hastings, president *pro tem.* of the Norway Iron Tack Company, a corporation formed under the laws of said state, has, in the manner thereby prescribed, certified to me that on the second day of January, eighteen hundred and sixty-six, at a general meeting of the stockholders, representing a majority of the stock of the said corporation, the following resolution was adopted:

Resolved, That the name of the corporation be changed from the Norway Iron Tack Company to the Norway Iron Manufacturing Company.

Wherefore, I hereby declare the proposed change of name authorized in law, and that the said corporation is to be hereafter known by the name of "The Norway Iron Manufacturing Company."

Given under my hand and the great seal of the said state, at the city of Wheeling, this thirteenth day of January, eighteen hundred and sixty-six.

SEAL.

GRANVILLE D. HALL,  
Secretary of the State.

## THE PARKERSBURG FOUNDRY AND MACHINE WORKS.

I, Granville D. Hall, secretary 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 Parkersburg Foundry and Machine Works,' for the purpose of manufacturing stoves, grates, hollow-ware, and every other description of castings; also for the purpose of building and repairing engines; also for the purpose of constructing and manufacturing all kinds of tools, instruments, implements and every article of every name, kind and description whatsoever, that can be manufactured with or out of wood, iron, brass, copper, or any other kind of material of any name, kind or description whatsoever, including every article that can be manufactured out of or from any material or growth, either vegetable or mineral, that this corporation may think proper to use in any way whatever, and selling and vending the same at pleasure; and also for the purpose of purchasing and holding such real estate as may be lawful for the purposes of said corporation, and erecting thereon all necessary buildings and machinery for its purposes; which corporation shall keep its principal office or place of business at the city of Parkersburg, in the county of Wood, in the state of West Virginia, and is to expire on the tenth day of January, eighteen hundred and eighty-six. And for the purpose of forming the said corporation, we have subscribed the sum of one hundred thousand dollars to the capital stock thereof, and have paid in on said subscription the sum of fifteen thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to the sum of 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 Johnson N. Camden,



two hundred shares; by John V. Rathbone, two hundred shares; by James Montgomery, two hundred shares; by William N. Chancellor, two hundred shares; by Burton Despard, two hundred shares. And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands, this tenth day of January, eighteen hundred and sixty-six.

[Signed,]

JOHN V. RATHBONE,  
J. N. CAMDEN,  
JAMES MONTGOMERY,  
W. N. CHANCELLOR,  
B. DESPARD."

Wherefore, the corporators named in the said agreement, and who have signed the same, are hereby declared to be, from this date until the tenth day of January, eighteen hundred and eighty-six, 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 Wheeling, this thirteenth day of January, eighteen hundred and sixty-six.

GRANVILLE D. HALL,  
*Secretary of the State.*

SEAL.

## A LIST OF COMMISSIONERS

*In other States, appointed by the Executive of West Virginia, during the years 1864, 1865, 1866, with the residence and date of appointment of each Commissioner; also the date when evidence of his qualification was filed. The term of office of Commissioners is two years.*

STATES.	NAMES OF COMM'RS.	RESIDENCE	DATE OF AP- POINTMENT.	When evidence of qualification was filed.
California....	H. S. Homans.....	San Francisco	Feb. 13, 1865,	May 5, 1865,
do ....	Lewis M. Cutting,....	Stockton,	Nov. 17, 1865,	Nov. 17, 1865,
do ....	N. Proctor Smith,....	San Francisco	Jan. 13, 1866,	Jan. 13, 1866,
Dist. Col.....	Charles Walter,.....	Washing'n	April 30, 1864,	May 7, 1864,
do ....	John S. Hollingshead,	do	Nov. 12, 1864,	Dec. 15, 1864,
do ....	John F. Callan,.....	do	Feb. 12, 1866,	Feb. 19, 1866,
do ....	Frederick Kooncs,....	do	Mar. 20, 1866,	
Illinois.....	Philip A. Hoynes,....	Chicago....	Sep. 16, 1865,	Sep. 26, 1865,
do .....	Simeon W. King,.....	do	June 2, 1865,	June 2, 1865,
Louisiana....	James Graham,.....	New Orleans,	Aug. 15, 1865,	Sep. 5, 1865,
do .....	Walter F. Peters,....	do	April 9, 1866,	Apr. 9, 1866,
Maryland....	H. L. Emmons, jr.,...	Baltimore,	April 3, 1865,	Apr. 10, 1865,
do ....	Wm. P. Eaton,.....	do	April 17, 1865,	
do ....	Joseph T. Atkinson,...	do	Sep. 12, 1865,	Sep. 18, 1865,
do ....	Henry R. Root,.....	do	Sep. 13, 1865,	Oct. 2, 1865,
do ....	W. B. Hill,.....	do	Jan. 16, 1866,	Jan. 23, 1866,
Massachus'ts	George T. Angell,....	Boston.....	Jan. 10, 1865,	Jan. 19, 1865,
do .....	James B. Bell,.....	do	Sep. 26, 1865,	Oct. 9, 1865,
do .....	Samuel Jennison,....	do	Feb. 12, 1866,	Feb. 20, 1866,
Michigan.....	Edwin Willits,.....	Monroe,....	Jan. 11, 1866,	Jan. 22, 1866,
Minnesota,...	Cyrus Aldrich,.....	Minneapolis,	Mar. 29, 1866,	
New Jersey,...	Joseph T. Rowand,...	Camden,...	April 22, 1864,	Apr. 30, 1864,
do .....	James M. Cassidy,....	do	May 17, 1865,	May 31, 1865,
New York,...	Frederick I. King,...	New York,	Mar. 7, 1864,	Mar. 19, 1864,
do .....	Thomas Sadler,.....	do	May 18, 1864,	May 27, 1864,
do .....	Edward Webster,....	Rochester,	Dec. 14, 1864,	Dec. 14, 1864,
do .....	Henry J. Cullen, jr.,...	New York,	Dec. 14, 1864,	Dec. 23, 1864,
do .....	Lucius Pitkin,.....	do	Jan. 23, 1865,	June 2, 1865,
do .....	Alexander Ostrander,	do	Jan. 23, 1865,	Jan. 28, 1865,
do .....	John W. Davis,.....	do	Feb. 3, 1865,	Feb. 10, 1865,
do .....	John Adriance,.....	do	Feb. 6, 1865,	Feb. 10, 1865,
do .....	Christian Von Hesse,	do	Feb. 10, 1865,	Feb. 17, 1865,
do .....	H. P. Brewster,.....	Rochester,	Feb. 20, 1865,	
do .....	Henry R. De Witt,....	New York,	Mar. 14, 1865,	Mar. 21, 1865,
do .....	Abraham S. O'Brien,	do	Mar. 24, 1865,	Apr. 28, 1865,
do .....	Gordon L. Ford,.....	Brooklyn,	Mar. 27, 1865,	Apr. 1, 1865,
do .....	Franklin A. Wilcox,...	New York,	May 17, 1865,	May 24, 1865,
do .....	Henry C. Pratt,.....	do	May 31, 1865,	July 8, 1865,
do .....	James W. Hale,.....	do	July 3, 1865,	July 8, 1865,
do .....	Caleb A. Canfield,....	Bath,.....	June 28, 1865,	July 6, 1865,
do .....	Joseph B. Noues,....	New York,	Aug. 25, 1865,	Aug. 30, 1865,
do .....	G. J. Turner,.....	do	Sep. 22, 1865,	
do .....	John Whipple, jr.,...	do	Oct. 13, 1865,	Oct. 21, 1865,
do .....	Wm. L. Gardner,....	do	Oct. 14, 1865,	Oct. 24, 1865,
do .....	J. Spencer Smith,....	do	Nov. 13, 1865,	Nov. 17, 1865,
do .....	Joseph W. Wildey,....	do	Nov. 25, 1865,	Dec. 1, 1865,
do .....	Andrew Anderson, jr.,	do	Jan. 27, 1866,	Feb. 2, 1866,
do .....	Horatio C. King,.....	do	Feb. 3, 1866,	Feb. 19, 1866,
do .....	A. J. Hennion, jr.,...	do	Feb. 10, 1866,	Feb. 28, 1866,
do .....	George W. Colles,....	do	Feb. 15, 1866,	Feb. 20, 1866,
do .....	Charles Nettleton,....	do	Feb. 22, 1866,	Feb. 28, 1866,
Ohio.....	Charles D. McGuffey,	Cincinnati,	Feb. 11, 1865,	Feb. 16, 1865,

LIST OF COMMISSIONERS—CONTINUED.

STATES.	NAME OF COM'RS.	RESIDENCE	DATE OF APPOINTMENT.	When evidence of qualification was filed.
Ohio, .....	James Wade, jr.,.....	Cleveland,	Feb. 11, 1865,	March 4, 1865.
do.	Samuel S. Carpenter,	Cincinnati,	Mar. 15, 1865,	Mar. 20, 1865.
do.	A. H. McGuffey,.....	do.	June 26, 1862,	Oct. 9, 1865.
Pennsylvania	Wm. V. Archer,.....	Philad'a.,...	Jan. 21, 1864,	March 9, 1865.
do.	Henry R. Edmunds,	do.	April 22, 1864,	May 6, 1864.
do.	Samuel L. Taylor,.....	do.	May 5, 1864,	May 13, 1864.
do.	John H. Wheeler,.....	do.	Nov. 2, 1864,	Nov. 5, 1864.
do.	S. Henry Norris,.....	do.	Nov. 12, 1864,	Nov. 18, 1864.
do.	Jacob Stout,.....	do.	Dec. 14, 1864,	Dec. 31, 1864.
do.	Arthur M. Burton,.....	do.	Jan. 9, 1865,	Jan. 21, 1865.
do.	Anson N. Hoskins,...	do.	Jan. 10, 1865,	Jan. 21, 1865.
do.	John C. Uhle,.....	do.	Jan. 10, 1865,	Jan. 18, 1865.
do.	Charles Murphy,.....	do.	Jan. 10, 1865,	Mar. 12, 1865.
do.	Robert Arthurs,.....	Pittsburgh	Jan. 10, 1865,	Jan. 21, 1865.
do.	Chatham T. Ewing,...	do.	Jan. 24, 1865,	Jan. 27, 1865.
do.	John H. Frick,.....	Philad'a.,...	Jan. 25, 1865,	Feb. 6, 1865.
do.	John J. Mitchel,.....	Pittsburgh	March 1, 1865,	March 7, 1865.
do.	Charles Sergeant,.....	Philad'a.,...	Mar. 20, 1865,	
do.	Jeremiah Bonsall,.....	do.	April 1, 1865,	
do.	John McClaren,.....	Pittsburgh	April 3, 1865,	Apr. 10, 1865.
do.	Chas. H. Sidebotham,	Philad'a.,...	April 6, 1865,	Apr. 10, 1865.
do.	Joshua Spering,.....	do.	May 1, 1865,	May 5, 1865.
do.	Andrew Zane, jr.,.....	do.	May 26, 1865,	Oct. 21, 1865.
do.	Wm. F. Robb,.....	Pittsburgh	June 3, 1865,	June 12, 1865.
do.	A. L. Henuershotz,...	Philad'a.,...	July 24, 1865,	Aug. 2, 1865.
do.	Theodore D. Rand,...	do.	Sept. 1, 1865,	Sept. 7, 1865.
do.	Benj. F. Blood,.....	do.	Sept. 5, 1865,	Sept. 8, 1865.
do.	John O'Neill,.....	Titusville,...	Nov. 21, 1865,	Nov. 28, 1865.
do.	R. S. Morrison,.....	Pittsburgh	Mar. 16, 1866,	Mar. 21, 1866.
do.	J. H. Joseph,.....	Philad'a.,...	Mar. 29, 1866,	April 6, 1866.
do.	Kinley J. Tener,.....	do.	March 8, 1866,	Mar. 23, 1866.
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