

use. American-Stewart Distillery, Inc., v. Stewart Distilling Co., Daily Record, March 2, 1935.

1931, ch. 381, sec. 144½. 1933, ch. 322.

144½. The charter of any corporation of this State, heretofore or hereafter forfeited for the non-payment of taxes may, at any time, be revived in the manner following:

(a) The last acting president or vice-president and secretary or treasurer of such corporation shall sign and verify under oath articles of revival in which shall be stated:

(1) The name of the corporation at the time of the forfeiture of its charter.

(2) The name by which the corporation will thereafter be known, which name must be such as could be adopted by a corporation of this State organized or existing at the time of the receipt for record of the articles of revival.

(3) The postoffice address of the place at which the principal office of the corporation in this State will be located, which shall be in the same county or city in which its principal office was located at the time of the forfeiture of its charter, and the name or names and postoffice address or addresses of the corporation's resident agent or agents (giving in each case the county and city, town or place and street and number, if number there be).

(4) That the articles of revival are for the purpose of procuring the revival of the charter of the corporation.

(b) If any or all of the officers required by this section to sign and verify the articles of revival shall be dead, or shall refuse or neglect to sign or verify such articles of revival, any three of the last acting directors of such corporation may sign and verify the articles of revival. In any case where there shall be less than three directors of said corporation living and ready and willing to act as aforesaid, those who were stockholders or members of such corporation at the time of forfeiture, or their assigns, may elect as many directors as may be necessary, together with the surviving directors or those who are ready and willing to act to constitute three directors and such directors may sign and verify the articles of revival. A meeting of the stockholders or members may be called by any director, stockholder or member upon ten days' written or printed notice, stating the place, day and hour of such meeting and the purpose thereof, such notice to be given to each stockholder or member, or his assigns, by leaving the same with him or at his residence or usual place of business, or by mailing it, postage prepaid, and addressed to him at his address as it last appeared upon the books of the corporation; at such meeting the stockholders or members, or their assigns, present in person or by proxy may elect directors as aforesaid. The directors so elected may take all steps and do all things necessary and proper to be done for the revival of the existence of such corporation as hereinbefore provided with the same validity as if performed and done by the last president, or vice-president