1935, ch. 551, sec. 33½.

33½. Any one or more corporations of this State, heretofore or hereafter incorporated, may be consolidated with any one or more corporations of another State or States the laws of which permit such consolidation, and by such consolidation form one new corporation of this State or of one of such other States. Any one or more corporations of this State, heretofore or hereafter incorporated, and any one or more corporations of another State or States may be merged into a corporation of this State or of another State, if the laws of such other State or States permit such merger. The word "State" as used herein includes the United States, any State of the United States, the District of Columbia and any territory or insular possession of the United States.

Any such consolidaion or merger shall be effected in the manner following:

(1) If the new corporation to be formed by the consolidation, or the corporation to survive the merger, is to be a corporation of this State, there shall be an agreement of consolidation or of merger, as the case may be, in which shall be set forth: (a) the matters and facts required in the case of a consolidation or merger, as the case may be, made pursuant to the provisions of Section 33 of this Article; and (b) the name and State of incorporation of each corporation party to said agreement organized under the laws of another State, with the date of incorporation, whether incorporated under general or by special law (giving chapter number and year of passage if incorporated by special law) and, if it is authorized to do business in this State, the date of its qualification.

(2) If the new corporation to be formed by the consolidation, or the corporation to survive the merger, is to be a corporation organized under the laws of another State, there shall be an agreement of consolidation or of merger, as the case may be, in which shall be set forth: (a) the name of the new or the surviving corporation, the State under the laws of which it will be organized and the location of its principal office in said State; (b) the name and State of incorporation of each corporation party to said agreement and, as to each corporation organized under the laws of another State, the date of incorporation, whether incorporated under general or by special law (giving chapter number and year of passage if incorporated by special law) and, if it is authorized to do business in this State, the date of its qualification; (c) the terms and conditions of the proposed consolidation or merger and the mode of carrying the same into effect, specifying the total amount of capital stock of each class of the new or the surviving corporation to be issued for stock of each class of stock of the other corporations and the manner of converting the capital stock of each of such other corporations into stock of the new or the surviving corporation; (d) the counties of this State in which the principal offices of the consolidating or merging corporations are located and the counties of this State in which any of the consolidating or merging corporations (other than the corporation surviving a merger) owns property the title to which