at any time or times, to consolidate and form a union with either the Philadelphia, Wilmington and Baltimore Railroad or the Delaware Railroad Company, by agreement between the boards of directors of said companies so authorized to consolidate, upon such terms and conditions as to them may seem best; said agreement to be executed under the corporate seal of the respective companies, and approved by a two-thirds vote of the stockholders present or represented at any annual meeting, or at any special meeting called for that purpose after thirty days' notice by publication in one or more newspapers of this State.

Consolidate and form a union.

How executed

Sec. 2. *And be it enacted*, That when any such agreement shall have been approved by the stockholders of the respective companies, and the fact of such approval certified thereto by the respectives secretaries, under seal, it shall be filed in the office of the Secretary of State, and thereupon the said two or more corporations agreeing aforesaid shall be taken to be one corporation in law, by the name provided in said agreement, possessing all the property, powers, rights and franchises, immunities and privileges of the several corporations consolidated and united as aforesaid, and subject to all the restrictions, disabilities and duties of each of such corporations, save as far as modified by such agreement; provided that all rights of creditors and all liens upon the property of either of said corporations shall continue unimpaired, and the respective corporations may be deemed to be in existence to preserve the same; and all debts, duties and liabilities of either of said companies shall thenceforth attach to the consolidated company, and may be enforced against it to the same extent and by the same process as if said debt, duties and liabilities had been contracted by it; and provided further, that a certified copy of the said certificate and copy of agreement so to be filed in the office of the Secretary of State shall be evidence of the lawful holding and action of such meeting, and of the consolidation of such companies. If any stockholder in any company which shall be consolidated with any other company or companies under this law shall be dissatisfied with, or object to such consolidation, it shall be lawful for

Manner of executing.

Rights of creditors to continue.

Lawful evidence.