

CHAP. 365. always to be first reduced or wholly cancelled before any previous annual issue is at all reduced, and all the issues of scrip to be liable to reduction and cancellation before the capital stock shall be encroached upon; the board of directors shall have full power to reduce and cancel the scrip of said company for the purpose and in the succession aforesaid, as the exigencies of the company may require.

Capital.

ART. 9. No scrip issued by the company shall be paid off in whole or in part so as to reduce the aggregate of the capital, and the surplus or reserved fund aforesaid, below the sum of two hundred and fifty thousand dollars, but the capital shall not be regarded as unpaired, unless the amount of stock capital, created by or under the second article of this charter, is deficient by losses or otherwise; in case of such deficiency the board of directors shall have power to levy an assessment on the shares to make up the deficiency, and after public notice is given in two of the daily papers of the city of Baltimore, for at least thirty days, of such assessment, and requiring its payment, the directors may sell at auction the stock of any shareholder, who shall neglect or refuse to pay such assessment within one week from the time at which such payment is in, and by said public notice required; *Provided*, a price equal to the assessment be realized for it, and a new certificate shall be issued to the purchaser for the share or shares so purchased, and the old one shall be cancelled in the books of the company, and any surplus received for the stock so sold over and above the assessment and expense shall be paid over to the holder of such cancelled certificate.

Power of directors.

ART. 10. The directors may, at any time, by a vote of two-thirds of their whole number, convert the issue of scrip at its then marketable value into capital stock, and make the company wholly a capital stock company, or when the surplus or reserved fund, represented by the scrip aforesaid, shall amount to a sum equal to the original capital stock of two hundred and fifty thousand dollars, they may refund the capital stock at such value as it may then bear in the market, not less than par, and make it wholly a mutual company, and the directors shall also have power to make all necessary by-laws to conform to such changes in the