

**Capital Stock.**

1904, art. 23, sec. 408. 1888, art. 23, sec. 294. 1868, ch. 471, sec. 219.  
1880, ch. 474. 1908, ch. 240, sec. 34. 1916, ch. 596, sec. 34.

**34.** Every corporation may create two or more classes of stock with such preferences, voting powers, restrictions and qualifications thereof, not inconsistent with law as shall be expressed in its charter. It may be provided that the holders of a certain class or certain classes of stock shall receive and that the corporation shall be bound to pay fixed annual dividends thereon, to be expressed in the charter, payable quarterly, half yearly or yearly, before any dividend shall be set apart for or paid to the holders of some other class or classes of stock, and such dividends may be made cumulative; any class or classes of stock may be preferred as to its or their distributive share or shares of the assets of the corporation upon dissolution; but, in case of insolvency, the debts and other liabilities of the corporation shall be paid before any payment or distribution is made to the holders of any class of stock; and stock preferred as to dividends or having a preference as to its distributive share of the assets of the corporation upon dissolution may be made subject to redemption at not less than par at such times and prices as may be determined in such charter; stock so redeemed shall have the status of authorized but unissued stock of the corporation. Nothing in the laws of this State shall be so construed as to limit the dividend on any class of stock to six per cent, per annum if a greater or less dividend be provided to be paid on such stock.

See notes to section 10.

See notes to this section in volumes 1 and 3 of the Annotated Code.

1916, ch. 596, sec. 34A.

**34A.** Any corporation of this State, heretofore or hereafter incorporated, except a banking, safe deposit, trust or loan corporation, may, if so provided in its charter, issue shares of stock, other than stock preferred as to dividends which is subject to redemption or stock preferred as to its distributive share of the assets of the corporation upon dissolution, without any nominal or par value. In any case in which the law requires that the par value of the shares of a corporation be stated in a certificate of incorporation, articles of amendment, agreement of consolidation or in any other paper, it shall be stated, in respect of such shares, that such shares are without par value, and when the amount of such stock authorized is required to be stated, the number of shares thereof shall be stated and it shall also be stated that such shares are without par value. For the purpose of the bonus tax and annual franchise tax imposed by the laws of this State, but for no other purpose, such shares shall be presumed to be of the par value of one hundred dollars each. For the purpose of any rule of law or of any statutory provision (except as in this Section otherwise provided) relating to the amount of such stock issued, the amount of such stock issued