

them, and if any of the said commissioners shall die, or refuse to act during the continuation of the duties devolved upon them by this Act, another may be appointed in his stead by the remaining commissioners, or a majority of them.

Capital stock. Sec. 2. *And be it enacted*, That the capital stock of the Worcester and Somerset Railroad Company shall be one hundred thousand dollars, or as much thereof as may be necessary, and shall be divided into shares of twenty-five dollars each, which said capital may be increased at the discretion of the Directors to be appointed as hereinafter provided for, to any amount not exceeding two hundred thousand dollars, and as soon as one thousand shares of the capital stock shall be subscribed, the subscribers of the said stock, their successors and assigns shall be, and they are hereby declared to be incorporated into a company by the name of the Worcester and Somerset Railroad Company, and by that name shall be capable in law to sue and be sued, to answer and be answered unto, and shall be capable of purchasing, holding, selling, leasing and conveying estates real, personal and mixed so far as shall be necessary for the purpose hereinafter mentioned and no further, and shall have perpetual succession by said corporate name, and may have and use a common seal, which they shall have power to alter or renew at their pleasure, and shall have and enjoy, and may exercise all the powers, rights and privileges which other corporations may lawfully do for the purposes mentioned in this Act.

Instalments. Sec. 3. *And be it enacted*, That upon every such subscription there shall be paid at the time of subscribing to the said commissioners the sum of one dollar for each share subscribed, and the residue thereof shall be paid at such times and in such instalments as shall be required by the President and Directors of said company; *provided*, that not more than three instalments of five dollars each shall be required in any one year after the commencement of the work, nor payment of any instalments demanded until at least thirty days public notice thereof shall have been given by the said President and Directors, and if any subscriber shall fail or neglect to pay any instalment or

Proviso.