

may deem proper, and upon the first opening of the said books, they shall be kept open for at least five successive days, from ten o'clock, A. M. to two o'clock, P. M. and if at the expiration of that period such a subscription to the capital stock of the said company, as is necessary to its incorporation shall not have been obtained, the said commissioners or any five of them, may cause the said books to be opened from time to time after the expiration of the said five days, within the space of five years thereafter or until the amount of stock necessary to the incorporation of said company, shall have been subscribed, if sooner subscribed, and if any of the said commissioners shall die, resign or refuse to act during the time for the continuance of the duties imposed on them by this act, another or others may be appointed by the remaining commissioners or a majority of them.

SEC. 2. *And be it enacted*, That the capital stock of the Baltimore and Potomac rail road company, shall be one million of dollars, and as soon as two thousand five hundred shares of the said capital stock shall be subscribed, the subscribers of the said stock, their successors and assigns, and their associates by subsequent subscriptions, shall be and they are hereby declared to be incorporated into a company, by the name of the Baltimore and Potomac rail road company, and by that name shall have perpetual succession, and be capable in law of purchasing, holding, selling, buying and conveying estate, real, personal and mixed, so far as the same may be necessary for the purposes hereinafter mentioned, and no further, and by said corporate name, may sue and be sued, may have and use a common seal, and shall have, enjoy and may exercise all the powers which other corporate bodies may lawfully do for the purpose mentioned in this act.

SEC. 3. *And be it enacted*, That upon every subscription of stock there shall be paid at the time of subscribing to the said commissioners, or their agent or agents, appointed to receive such subscriptions, the sum of two dollars on every share subscribed, and the remainder shall be paid in such instalments and at such times as may be required by the president and directors of the said company; *Provided*, no payment shall be demanded until at least thirty days public notice of said demand shall have been given by the said president and directors, and if any subscriber shall fail or neglect to pay any instalment, or part of subscription thus demanded, for the space of sixty days after the same shall be due the stock on which it is payable, shall be forfeited to the company,