

and at the first opening of the said book, they shall be kept open for at least five successive days, from ten o'clock, A. M., to two o'clock, P. M.; if sufficient subscriptions are not sooner obtained, and if any of the said commissioners shall die, resign, or decline to act before the fulfilment of the duties devolved upon them by this act, another or others may be appointed to fill the vacancy or vacancies by the remaining commissioners, or a majority of them.

Vacancy—
how filled.

Sec. 2. *And be it enacted*, That the capital stock of the Dorchester and Delaware Railroad Company shall be five hundred thousand dollars, in shares of twenty-five dollars each, and as soon as one thousand 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 Dorchester and Delaware Railroad Company, and by that name shall have perpetual succession and be capable in law of purchasing, receiving, holding, using, selling, leasing, mortgaging and conveying goods and chattles, lands, tenements and hereditaments, and all estate real, personal and mixed of what kind or quality so ever; may be sue and be sued, plead and be impleaded in all the courts of this State; may make have and use a common seal, and the same may alter or renew at pleasure, and also may ordain, establish and enforce such by-laws and regulations as they shall deem necessary for the government of said corporation not repugnant to the Constitution and laws of the United States, and of this State, and generally may do all and singular and matters and things, and exercise and enjoy all rights, powers and privileges which to them may properly appertain for the well being and ordering of the said corporation; *provided*, that nothing herein contain shall be construed as in any way giving to the said corporation any banking privileges whatsoever, or any other powers or privileges than such as are necessary or incident to the making and proper management of the Railroad mentioned in this act.

Capital stock.

May sue and
be sued.

Proviso.

Sec. 3. *And be it enacted*, That upon every sub-Instalments.
scription of stock there shall be paid at the time of