

hereby incorporated, and they, or any one of them, under the direction of a majority, may cause books to be opened at such time and places as they may direct, for the purpose of receiving subscriptions to the capital stock of said company, after giving such notice of the times and places of opening the same, as they may deem proper, and may cause said books to be kept open from time to time, for the space of twelve months after the first opening of the same, or until the sum necessary to the incorporation shall be subscribed

SEC. 2. *And be it enacted*, That the capital stock of said company shall be twenty-five thousand dollars, and shall be divided into shares of fifty dollars each, and so soon as five thousand dollars of the same shall have been subscribed and fully paid in, 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 Wellersburg and Jennings Run Rail Road Company, and by that name shall be capable in law of suing and being sued, plead and be impleaded, answer and be answered, and have a common seal, to break or renew at pleasure, of purchasing, holding, selling, leasing and conveying estates, real, personal and mixed, so far only as it shall be necessary for the purposes of constructing their rail road, erecting depots, bridges, and so forth, and for this purpose shall have all the privileges and rights granted to the Baltimore and Ohio Rail Road Company, in the act of Assembly, passed at December session, eighteen hundred and twenty-six, chapter one hundred and twenty-three, and provided for in sections fourteen, fifteen, sixteen, seventeen and eighteen, which said sections shall be and they are hereby declared to be a part of this act.

SEC. 3. *And be it enacted*, That upon every share of stock subscribed, there shall be paid two dollars at the time of subscribing the same, and the residue thereof shall be paid in such instalments and at such times as it may be required by the president and directors of said company; *provided*, that not more than one third of said subscription shall be demanded in any one month from the commencement of the work, and if any subscriber shall fail or neglect to pay any instalment or part of said subscription, thus demanded, for the space of sixty days next after the time the same shall be due and payable, the stock on which it is demanded, shall be forfeited to the company, and