

have determined in favor of the issuance thereof for the purpose aforesaid.

SEC. 2. *And be it further enacted,* That when and as soon as the said Delaware and Chesapeake railway shall have constructed that part of said branch railroad authorized by chapter two hundred and sixty, of the acts of eighteen hundred and eighty-six, extending from a point at or near Greensborough to Federalsburg and shall have commenced to operate the same, the said county commissioners shall forthwith cause the whole of said bonds to be issued and sold to the highest bidder or bidders therefor; provided, that no bid shall be accepted at less than the par value thereof; and when such sale shall have been effected the whole proceeds thereof shall be forthwith paid over by the said county commissioners to the treasurer of the said Delaware and Chesapeake railway upon the execution and delivery of a mortgage as is in the next section authorized and provided.

Bonds to
be issued

SEC. 3. *And be it further enacted,* That when the said Delaware and Chesapeake railway shall have received notice that the said county commissioners are prepared to pay over to the said treasurer the moneys realized from the sale of the said bonds, the said Delaware and Chesapeake railway shall forthwith make, execute, acknowledge, and contemporaneously with the receipt of the said moneys, deliver unto the said county commissioners a mortgage to the county commissioners of Caroline county of so much, and such part only of the said branch railway as lies within the said county of Caroline for the real debt of sixty thousand dollars bearing interest at the rate of two per centum per annum, the said interest to be paid semi-annually and the principal thereof at the expiration of thirty-eight years from the date of the said mortgage, such mortgage shall constitute a first and specific lien on that part only of said branch railroad including station-house or houses thereon which shall lie within the limits of the said county of Caroline, and shall not in anywise be a lien upon or encumber any other property or assets of the said corporation, nor be treated as a debt or liability of the said company otherwise than as a specific lien on that part of said branch railroad located within said county, which shall constitute the only fund and security for its payment; the said mortgage shall be recorded as other mortgages are in the clerk's office of Caroline county, and in case of default for the space of one year in the payment of any instalment of interest or of non-payment of the principal at maturity, the said county commissioners are hereby expressly authorized and empowered to institute proceedings in equity in the circuit court of Caroline county to foreclose the said mortgage, and in case of sale in such proceedings the said county commissioners are expressly authorized and empowered to purchase the said mortgaged premises at any sum less than the amount unpaid on the said mortgage for and on account of the said county.

Mortgage.