

CHAP. 395. said company, such sum or sums of money, not exceeding in the whole the sum of seven hundred and fifty thousand dollars, as may be necessary for the construction and completion of the road of the said company, and of the York and Maryland Line Rail Road, with the necessary depots, and engines and cars for the purpose of travel and transportation, and for payment of all damages that may have arisen from the alteration of the line of the road from Timonium to Baltimore; for enabling the said president and directors to aid and assist in the completion of the rail road from York to Wrightsville, by a subscription to the stock of, or by a loan to the company owning said road, and also for the payment of the existing debts of the Baltimore and Susquehanna Rail Road Company; and the said sum or sums of money, when, and as they may be received as aforesaid, shall be applied by the said president and directors to some one or other of the purposes hereinbefore specified, and to no other purpose or purposes whatsoever.

For purposes specified

Sec. 3. *And be it enacted*, That in order to secure, as effectually as may be, the proper application of the money which may be drawn out of the Treasury, by the aforesaid president and directors, in virtue of this act, if any part of the aforesaid monies shall be by the allowance, authority or acquiescence of the president and directors of the said company, or any of them, applied to any use or purpose, not within the fair intent and meaning of the second section of this act, the person or persons so allowing, authorising or acquiescing in the misapplication of said money, shall be liable in an action, for money had and received, to be brought in the name of the State, against them jointly, or severally, in their natural capacities, at any time, to pay and refund to the State, the sum or sums of money so improperly applied or expended.

Punctual application provided for

Sec. 4. *And be it enacted*, That the acceptance of this act by the said company, and the obligation required to be given by said company, shall be construed and understood, as obliging the said company to repay to the said treasurer the principal sum or sums of money which may be advanced to the said company, under the provisions of this act, at least one month before the day on which the certificates or bonds hereby

Acceptance shall imply obligation to pay principal ultimately