

so as to give to any purchaser or creditor of the company any right to or interest in the same. But the said board of trustees may if they think it prudent to do so, prior to the completion of said railway and its full equipment for service as aforesaid, sell the remainder of said bonds or any of them, or negotiate loans of money upon the credits thereof, by pledging the same and apply the proceeds of sale or loans obtained, to the use and benefit of the said rail road company; and for such and other service to be performed by the said board of trustees under this act, they shall receive such reasonable compensation as their cestuis que trust, may with their joint approbation allow them.

SEC. 3. *And be it enacted*, That the vacancies, if <sup>Vacancies.</sup> any, which may occur in said board of trustees by the death, resignation or removal from Cumberland, of all or either of them shall be supplied by appointments, to be made by the circuit court for Allegany county, of which appointments a certificate or certificates shall be issued under the seal of the court, to be recorded amongst the judgment records thereof.

SEC. 4. *And be it enacted*, That if the said rail road company, shall fail to pay the instalments of interest <sup>To levy a tax.</sup> accruing upon the bonds aforesaid, or any of them, the mayor and councilmen of the city of Cumberland, be and they are hereby authorized to levy a tax not exceeding the rate of fifty cents to the hundred dollars worth of property, on all the assessable property within the corporate limits of the said city, to be applied to the payment of the interest in arrear upon said bonds; and that they be and are hereby authorized to levy the like tax to pay the arrears of interest upon said bonds as often as it shall become necessary so to do, by reason of the default of the said rail road company. And that the taxes or sums of money to be so levied and applied shall constitute a debt recoverable by the said city of Cumberland, from the said rail road company as money lent. But until it shall become necessary to impose a tax for the purpose before mentioned, if the mayor and councilmen of the city of Cumberland, should think it prudent in anticipation of the maturity of said bonds to become a purchaser of the same, they are hereby authorized to levy a tax not exceeding the rate aforesaid, annually or at such other intervals not less than a year as they may adopt, for the purpose of procuring the means to purchase any of said bonds that may be marketable, to be held by the said city of Cumberland, upon the