

directed in the name and behalf of the State of Maryland, in the case of the Eastern Shore Rail Road Company, to subscribe for ten thousand shares or one million of dollars of the capital stock of said company, and in the case of the Maryland Canal Company, five thousand shares or five hundred thousand dollars of the capital stock of said company; *Provided*, that no subscription shall be made by the said Treasurer to either of the said companies last mentioned until such company shall have been organized agreeably to law; and the said Treasurer shall pay the instalments on each share of the capital stock of either or each of the said companies herein mentioned, for which he may subscribe as aforesaid, as the same shall be called for, agreeably to the provisions of the acts incorporating the said companies and the supplements thereto respectively, *Provided*, that no instalment on any of the stock of any of the companies mentioned in this act shall be paid by him, until after an equal proportional payment shall have been actually made by the other stockholders on their shares of the capital stock of such company, and the said Treasurer shall make said payments on the stock so subscribed by him, out of the money which he shall receive as the par of sum or the stock or bonds of the State, that may be issued or disposed of under this act, for the purposes thereof; and as to said subscription to the stock of the Maryland Canal Company it is provided, that before the subscription shall be made, it shall upon reports and estimates to be submitted to the Governor and Council, be by their judgment ascertained whether and at what expense the construction of said company's canal, with due supply of water, be practicable, from the Chesapeake and Ohio Canal to the city of Baltimore, by the valleys of the Monocacy and Patapasco, or by a route diverging from the said Chesapeake and Ohio Canal at the mouth of Seneca river, exclusively within the limits of this State, and that if the construction of such canal be decided by the Governor and Council to be practicable by either of said routes, and if in that case the said company, by certificate to the Governor and Council, under its corporate seal, and signed by its President, shall after such decision, testify its agreement to locate and construct its canal upon the most northern practicable route of these routes, said subscription shall be and is hereby authorized to be made; and in order to said decision, the Governor and Council may act upon any report and estimates of any engineer or engineers of said company, or upon those of any