

whose ability to comply with the terms of sale the said Mayor and City Council in its discretion is satisfied.

SEC. 3. *And be it further enacted,* That upon the sale of said bonds, or any part thereof, the proceeds thereof shall be placed in a separate fund and used by the Mayor and City Council for the purpose of paying the legal indebtedness of The Evitts Creek Water Company incurred or to be incurred in the construction of said Thomas W. Koon Dam, with the appurtenant roads, buildings, lands and privileges, and also for the purpose of paying part of the present floating indebtedness of the water department of the City of Cumberland; and such part of the aforesaid contested claims as it may be legally liable to pay.

SEC. 4. *And be it further enacted,* That the bonds hereunder authorized shall be issued in addition to and exclusive of the ten per cent. bonded indebtedness on the assessed valuation of the property in the City of Cumberland authorized by Section 55 of the Charter of the City of Cumberland.

SEC. 5. *And be it further enacted,* That the Mayor and City Council shall charge and collect for the water supplied to the residents of the City of Cumberland and vicinity, a sum sufficient to pay the expenses heretofore and hereafter necessary for the operating of the water system of Cumberland, Maryland, and to pay for the redemption of the bonds now outstanding against the City of Cumberland for water improvements, and this bond issue, and the interest on all the bonded indebtedness of the City of Cumberland, pertaining to the water system of said City; the full faith and credit of the Mayor and City Council of Cumberland shall be pledged to secure the bonds issued hereunder; and if at any time the receipts of the Water Department shall be insufficient to pay the interest on said bonds, to meet sinking fund requirements, and to redeem said bonds as they mature, then the Mayor and City Council of Cumberland shall levy from time to time such amount on the assessable property of the City as may be necessary to make up any deficit.

SEC. 6. *And be it further enacted,* That if the Mayor or any member of the City Council shall violate any of the provisions of this Act, or expend or attempt the expenditure of any of the proceeds of said bond issue for any other purpose than herein set forth, he or they, shall, upon trial