

Priority of
claims in
case of sale
of canal.

SEC. 2. *Be it further enacted*, That in case said canal or any of the property of the Chesapeake and Ohio Canal Company, shall hereafter be sold under the decree already passed in said proceeding in equity, or by virtue of any other decree or judgment of any court of this State, of the District of Columbia, or of the United States, heretofore or hereafter made and entered in any proceeding to which this State is a party, said claims and judgments, when proven, as hereinafter specified, shall have priority in the distribution of the funds arising from such sale over all liens, claims and demands of this State whatsoever, said liens, claims and demands of the State being hereby assigned, waived deferred and postponed *pro tanto* to and for the holders and owners of such claims and judgments, so as to make the same first liens on the property of the Chesapeake and Ohio Canal Company in preference to all liens and claims of the State; provided, that all said claims for labor and materials done and furnished since the first day of January, 1877, and down to January, 1890, shall have precedence (without priority between themselves,) over said judgments rendered on account of claims against said company accruing prior to January 1, 1877, and the prior lien of said judgments on said canal property, over the liens of the State, hereby given by this act, shall be postponed and secondary to the lien hereby given to said labor claims accruing since January 1, 1877.

Proof of
claims.

SEC. 3. *And be it further enacted*, That the proof of such judgments or claims shall be, in case of judgments, the ordinary authentication and proof now required by law in such cases in courts of equity in this State, and claims not reduced to judgment shall be verified by affidavit of the owners thereof, and shall be certified to be correct, due and unpaid by the president or treasurer of the Chesapeake and Ohio Canal Company, who was such when said claims accrued, and against such claims the plea of limitation or lapse of time shall not be available or pleadable in any court of law or equity by any person or corporation whatsoever.

Inspection of
books and
papers.

SEC. 4. *And be it enacted*, That for the purpose of so certifying said claims the trustees of the bondholders of 1844, who are now in possession of the books and papers of the said canal, or whoever may be in possession of the same, shall at all times permit said claimants and such president or treasurer of said canal company, to have free access to all such books and papers and allow the same to be inspected, and copies and