

priority over each other on account of date, shall be preferred liens on the revenues and tolls that may accrue to the said company from the entire canal and its works, between Georgetown and Cumberland which are hereby pledged and appropriated to the payment of the same, and the interest to accrue thereon, in the manner hereinafter mentioned (subject only to the exception mentioned in the seventh section of this act, in case a branch should be constructed from the main canal to Cumberland, to the coal banks at or near the mouth of Savage river as is therein provided for;) provided, however, that the President and Directors of said company shall from time to time, and at all times hereafter, have the privilege and authority to use and apply such portion of said revenues and tolls as in their opinion may be necessary to keep the said canal in good condition and repair for transportation, provide the requisite supply of water and pay the salaries of officers and agents and the expenses of the said company.

“Sec. 3. And be it enacted, That the rights and liens of this State upon the revenues of the Chesapeake and Ohio Canal Company, shall be held and considered as waived, deferred and postponed in favor of the bonds that may be issued under the foregoing sections so as to make the said bonds and the interest to accrue thereon, preferred and absolute liens on said revenues, according to the provisions of the last foregoing section until said bonds and interest shall be fully paid.

“Sec. 4. And be it enacted, That the said Chesapeake and Ohio Canal Company, in a book or books for that purpose, to be provided, shall keep in the office of said company an accurate record of all the bonds that may be issued pursuant to the foregoing provisions of this act, briefly stating the number date and amount of each bond when and where the same is payable, the rate of interest allowed thereon, and the name of the president and clerk, who signed and attested, and the names of the agents representing the State in joint stock companies who approved and countersigned the same, and the said book or books of record shall be open to the inspection of all persons who may from time to time desire to examine the same.

“Sec. 5. And be it enacted, That semi-annually in each year as the same shall be payable, the said Chesapeake and Ohio Canal Company, shall pay the interest on the bonds constituting preferred liens as aforesaid to the party or parties respectively entitled thereto, or to their agent or agents authorized to receive the same; and as soon as the nett revenues of said company, arising from the canal and its works (between Georgetown and Cumberland as aforesaid) shall be more than sufficient to pay said interest with the cost of remittance and exchange (if there be any) and such further sum not exceeding four thousand five hundred dollars annually as may be necessary to pay the interest on the bonds or certificates of debt heretofore issued by said company, to the creditors of the Potomac Company for claims adjusted under the twelfth section of the charter of the Chesapeake and Ohio Canal