

- Order ap-  
pointing them. **XXX.** Such certificate of agreement shall be filed in the office of such County Court, and a rule shall thereupon be entered by the Clerk of such Court, in vacation or term, appointing the persons so selected, referees to determine such controversy.
- Powers. **XXXI.** Such referees shall have power to examine witnesses on oath, and shall make their report on the contested claim in one month after it is referred to them, and they shall be each entitled to the sum of one pound for their services as referees as soon as their report is made, such sum to be paid in the first instance by the successful party, and afterwards to be taxed as costs against the other party. 5
- Fees. **XXXII.** The report of the referees shall be filed in the same office where the rule for their appointment was entered, and shall be conclusive on the parties if not vacated by the Court to which it was made. 10
- Filing re-  
port. **XXXIII.** Either party shall have the same right to except to such report as in cases of reference during the pending of a suit; and the Court shall proceed thereon in the like manner, and may, in its discretion, appoint new referees and direct a new hearing. Judgment for costs shall be rendered against the failing party, and execution shall be awarded thereon, as in other cases. 15
- Exception to  
report. **XXXIV.** Upon the final report of such referees being confirmed, the officer before whom the proceedings were pending, shall proceed to make distribution of the proceeds of the sale of such vessel, her tackle, apparel and furniture, after deducting the expenses of the proceedings before him among the attaching creditors, according to such report. 20
- Distribution  
according to  
report. **XXXV.** When a distribution shall be made by such officer, pursuant to either of the foregoing provisions, he shall make an order on the Sheriff having such proceeds in his hands, directing him to pay the same to the several attaching creditors entitled thereto according to such distribution, and the same shall be paid accordingly; and all moneys remaining in the hands of such Sheriff, after such payment and after deducting his commission, shall be paid to the owner, agent, consignee or master of such vessel. 25
- Payment of  
sums awarded **XXXVI.** If the proceeds arising from the sale of any vessel shall not be sufficient, after deducting all legal charges, to satisfy all the liens against such vessel, exhibited as herein provided, the Judge of such County Court as aforesaid shall order a fair and just distribution of such proceeds among the creditors whose claims shall have been ascertained by him, or by the report of referees as herein provided, in a just and equal proportion to the amount of such claims respectively. 30
- If proceeds be  
insufficient to  
pay all claims. **XXXVII.** Every officer who shall issue any warrant, pursuant to the foregoing provisions, shall cause the applications, affidavits and proofs presented to him by the attaching creditors, and copies of all warrants issued, and all orders made by him, with a bill of the fees and expenses allowed by him, and a report of all the proceedings had before or done by him, to be filed in the office of such County Court as aforesaid, 45
- Filing pro-  
ceeds in Coun-  
ty Court. within thirty days after the order for distribution made by the Judge of such Court.