

ducting his fees and expenses in seizing, preserving, watching, and selling such vessel, shall be retained by such Sheriff in his hands, to be distributed and paid as hereinafter directed.

XXIII. At the time of issuing any such order of sale, the Officer  
 5 granting the same shall order a notice to be published in the same newspaper in which the notice of seizure was printed, as hereinbefore directed, once in each week for three weeks, requiring all persons who have exhibited any claims against such vessel, and the owner, agent, consignee, master, and all other persons interested in such vessel, to appear before  
 10 him at a day therein to be specified, not less than thirty days, and not more than forty days from the first publication of such notice, to attend a distribution of the proceeds arising from the sale of such vessel, her tackle, apparel and furniture. Notice of sale.

XXIV. On the day appointed in such notice, the Officer shall hear the  
 15 allegations and proofs of the parties, and make distribution of the proceeds arising from such sale, after deducting the expenses of the proceedings, among the creditors who shall have exhibited their claims as herein provided; unless the claims of such creditors, or of some of them, be contested by the owner, agent, consignee, or master of such vessel, or by some other of such creditors. Distribution of proceeds.

20 XXV. In case of such contest, the party making the objection shall file, in the County Court of the county where such vessel was seized, a written statement thereof, and his desire that the claims so objected to be referred to referees, to examine and report thereon. Reference of contestation.

XXVI. The party making such objection, and the creditors whose  
 25 claims are contested, may agree upon three different persons by a writing to that effect, signed by them, and filed in such County Court. Referees if party agree.

XXVII. If such referees be not so selected by agreement, then the  
 party making such objection shall nominate two disinterested persons, and the creditor or creditors whose claims are contested, shall also nominate two in different persons; or if either of them refuse or neglect, the  
 30 Judge of such County Court shall name two indifferent persons for the party or parties so neglecting or refusing. How named if they differ.

XXVIII. The names of the persons thus nominated, shall be written  
 on four distinct pieces of paper, as similar in all respects as may be,  
 35 which shall be rolled up separately and put into a box; and from thence the said Judge of the County Court shall draw out three of them, and the persons whose names are so drawn shall be the referees to determine the controversy. Drawing for referees.

XXIX. The officer before whom they shall be selected, shall certify  
 40 such selection in writing, and deliver a duplicate of the same, or of the written agreement of the parties appointing referees, to each of the parties. Certificate of selection.