

to receive a fee of fifty cents, to be paid by the claimant and taxed as costs against the defendants, for which, and for other costs if incurred by the claimant in resorting to legal process for the collection of his claim, the said defendant shall be chargeable as if such costs had formed a part of the original claim.

SEC. 2. *And be it enacted*, That every such boat or vessel against which an account or statement shall be filed as aforesaid, shall be subject to a lien for the debt and costs justly chargeable against it for the period of one year from the day on which said account or statement may be filed as aforesaid, and no longer; but that the claimant may have the benefit of any other lien upon said boat or vessel to which he may be entitled by mortgage, bill of sale or otherwise.

Lien to hold  
for one year.

SEC. 3. *And be it enacted*, That the liens intended to be created by this act shall not entitle the claimants to preference of payment over creditors or claimants secured by mortgage or bill of sale, properly executed and recorded before the claims to be secured by such contemplated liens shall have accrued.

Not to have  
preference  
over mortgage  
or bill of sale.

SEC. 4. *And be it enacted*, That the claimant may at any time after his claim shall have been filed as aforesaid, and within the period to which he is entitled to the benefit of lien as aforesaid, sue out of the Circuit Court for the county where the claim is docketed a writ of scire facias in common form, varied to suit the claim, to be directed to the sheriff of the same county, and made returnable to the next ensuing court that shall sit within twenty days after the issuing of said writ; and it shall be the duty of the said sheriff, immediately after receiving said writ, to proceed to serve the same on the owner or his agent, if an agent have charge of the boat, or if neither can be found within his bailiwick, to set up at the nearest post-office where such boat was built, repaired or equipped, a copy of the said writ, or a short notice containing the substance thereof; and also to cause a copy to be published once in each of two consecutive weeks in some newspaper having general circulation in said county; and that upon the return of said writ to the court to which it is properly made returnable, endorsed or marked "summoned," by the sheriff, or where the owner or his agent cannot be found, upon its return with the sheriff's and printer's certificates, showing that a copy was set up at the nearest post-office and also

Manner of pro-  
ceeding to ob-  
tain judgment