

published as directed by this act, the said court, if the owner or agent do not appear to contest the claim, shall cause judgment to be rendered for the principal and interest of said claim and the incidental costs of suit, which shall be such as are allowed in similar cases; but if the owner or his agent should appear on the return of the writ, he may, with the consent of the claimant, submit the case, with the testimony to be offered appurtenant to the same, to the examination and decision of the court; or either of the parties may have the same tried by a jury, but the trial shall be had and the judgment rendered at the court to which the writ is made returnable, unless for good reasons shown, the court should think proper to continue the case; and that immediately on the rendition of the judgment, if the same be in favor of the claimant, it shall be lawful for the claimant to sue out a special execution in the nature and form of a fieri facias, reciting the scire facias and judgment, and directed to the sheriff aforesaid, commanding him to sell such boat or vessel, after giving the usual notice preliminary to sales of personal property, to satisfy said judgment and costs of suit; and that it shall be the duty of the sheriff to make return of said execution immediately after the sale, and at the same time to return and deposite with the clerk of the court the money made by virtue of said execution, to be disbursed by order of the court amongst the parties entitled to the same.

To take effect. SEC. 5. *And be it enacted,* That this act shall take effect from the day on which it may be passed.

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