

SEC. 18. *And be it enacted*, That upon the return of such writ, it shall be lawful for any other person, having filed a claim as aforesaid, to cause to be entered on the record of the same suit, a suggestion, setting forth the amount and nature of his demand, and thereupon he may have a rule upon the defendant, to appear and plead thereto as in other actions.

On return of writ.
Other claimants may suggest

SEC. 19. *And be it enacted*, That if the defendant shall appear and plead to such suggestion, and issue, either in fact or law, be joined upon any plea, such particular issue shall be tried and determined as in other cases; if the defendant shall not plead to such suggestion, after due notice, judgment shall be entered for the claimant filing the same, and the amount of the claim shall be ascertained as in other cases.

Defendant shall appear to such suggestion.
Trial.
If failing to plead.
Judgment, &c.

SEC. 20. *And be it enacted*, That the execution for every judgment shall be by a writ of *levari facias*, in the following form: Baltimore County, to wit, ss. The state of Maryland, to the sheriff of said county, greeting: We command you, that without any other writ from us, of the following described building and lot of ground, of A. B. to wit: (describing the same according to the record,) in your bailiwick, you cause to be levied, as well a certain debt of — which C. D. lately in our court, for the county aforesaid, by the consideration of the said court, recovered of the said A. B. to be levied of the said building and lot of ground, as also the interest thereon from the — day of —, also, the further sum of —, amounting in the whole to the sum of —, and also the sum of — for the costs which accrued thereon, according to the form and effect of the acts of assembly in such case made and provided, and have you these moneys before our judges, at our county court, in the county aforesaid, there to be held on the — day of — next, to render unto the said C. D. for this debt, interest and costs aforesaid, and have you then and there this writ, &c.

Writ of *levari facias*

SEC. 21. *And be it enacted*, That, *provided*, that if the proceeds of such building and ground as aforesaid, shall not be sufficient to pay the full amount of all debts due as aforesaid, for work done, and materials furnished, after deducting therefrom any prior liens upon the same, then such debts shall be averaged, and the creditors aforesaid shall be paid in proportion to their respective demands.

Case proceeds of such building and ground as aforesaid, shall not be sufficient.

Averaged in proportion.

SEC. 22. *And be it enacted*, That in every case in which any claim shall be filed against any building as aforesaid, and no *scire facias* shall have issued thereon, it shall be lawful for the owner of such building, or any person interested therein, to apply by petition to the court in which such claim shall be filed, setting forth the facts, whereupon such court may grant a rule upon the party claimant, and others interested, to appear in court at a time to be fixed for such purpose, and on the return

Case of claim filed.

No *scire facias* issued.
Petition to court.
Rule granted.