

county shall publish the said notice in two newspapers published in such county, if there be two, and if not, in such newspaper as may be there published, and if none, in such newspaper or newspapers as he may think proper, the first of said publications to be inserted at least three weeks before the return day of the writ and the expense of publication not to exceed ten dollars.

Cited but not construed in *Plummer v. Eckenrode*, 50 Md. 233; *Thomas v. Barber*, 10 Md. 389.

See notes to sec. 28.

An. Code, sec. 30. 1904, sec. 30. 1888, sec. 30. 1845, ch. 287, sec. 11.

30. In all cases where one claim has been filed by one person for work done or materials furnished, or both, for distinct buildings, it shall be lawful to issue one writ of *scire facias* to recover the same, which writ shall specify the amount claimed on each; and any party in interest upon the return of said writ may apply for and have as many cases docketed as there are houses proceeded against, and separate judgments shall be entered against each house and the same proceedings shall be had as if separate liens had been filed.

Where a claim is filed for separate amounts against two different buildings, the two sums should not be blended in the writ and a lien for the whole claimed on each building. *Plummer v. Eckenrode*, 50 Md. 234.

Application under latter portion of this section must be made "on the return of the writ," otherwise it will be too late. *Wilson v. Merryman*, 48 Md. 340.

This section applied. *McLaughlin v. Reinhart*, 54 Md. 81.

See sec. 21.

An. Code, sec. 31. 1904, sec. 31. 1888, sec. 31. 1845, ch. 287, sec. 12.

31. Upon the return of the writ any person having or claiming to have any interest in any building proceeded against may, upon petition, be authorized to appear and be made a party defendant, and upon so doing he shall become liable for costs.

An. Code, sec. 32. 1904, sec. 32. 1888, sec. 32. 1838, ch. 205, sec. 18.

32. Upon the return of the writ any other person having filed a claim as aforesaid may cause to be entered upon the record of the same suit a suggestion setting forth the amount and nature of his demand and may have a rule upon the defendant to appear and plead thereto as in other actions.

An. Code, sec. 33. 1904, sec. 33. 1888, sec. 33. 1838, ch. 205, sec. 19.

33. If the defendant shall appear and plead to such suggestion and issue either in law or fact be joined upon any plea, such particular issue shall be tried and determined as in other cases.

If sec. 19 is complied with, no bill of particulars can be demanded. If it is not complied with and proceedings are taken by *scire facias*, the proper practice is to move to quash writ. *Wilson v. Merryman*, 48 Md. 337. See also *Baker v. Winter*, 15 Md. 7.

Sec. 41 does not dispense with the forms of pleading. Pleas should notify the plaintiff of the grounds of defense. *Kees v. Kerney*, 5 Md. 422.

For a defective plea of set-off to a *sci. fa.* to enforce a mechanics' lien, see *Dilley v. Roman*, 17 Md. 341.