

or tenements, as required by law, may recover the costs of such publication from the defendant in such process as other legal costs, and if the defendant be unable to pay the same, the sheriff or other officer, after having paid the same, may recover the amount so paid from the plaintiff as other debts are collected.

An. Code, sec. 6. 1904, sec. 6. 1888, sec. 6. 1826, ch. 178.

6. Whenever any judge, justice, commissioner or auditor shall be required by law to direct the publication of any notice or other advertisement in one or more newspapers, he shall direct the place or places in which such notice or advertisement shall be published, the number of papers in which it shall be inserted and the number of insertions in each paper, but shall not name such paper in the order of publication, but leave to the party at whose expense such notice or advertisement is to be published to select the paper and contract for the cost of publication; but when such publication shall be ordered to be made in the city of Baltimore, it shall be published in one or more of the daily newspapers published in said city.

An. Code, sec. 7. 1904, sec. 7. 1888, sec. 7. 1834, ch. 309, sec. 2.

7. In every case in which notice by publication in a newspaper is required to be made by any sheriff, coroner, elisor, or other officer, the defendant shall have the right to select the newspaper in which such notice shall be published and upon his refusal or neglect so to do, the officer shall make publication in the newspaper making the lowest charge for the advertisement.

Exemption from Execution.

An. Code, sec. 8. 1904, sec. 8. 1888, sec. 8. 1861, ch. 7, sec. 1. 1904, ch. 381.

8. One hundred dollars in property, whether the same consists of money, land or goods, of every defendant, as well as all money payable in the nature of insurance, benefit or relief in the contingency or event of sickness, accident, hurt or death of any person, shall be exempt from execution or seizure in satisfaction of debt or claim upon any judgment in any civil proceedings, except on judgments for breach of promise to marry or for seduction.

This section must be construed in connection with, and as limited by, art. 3, sec. 44, of Md. Constitution. Exemption limited to \$500. *In re Jones*, 249 Fed. (D. Ct. Md.) 487.

Property only shall be exempt, and debtor has no right to demand an equivalent in money. The debtor may waive his exemption and in order to have benefit of it he must actively interpose. The sheriff is under no obligation to notify debtor (in absence of fraud). *Young v. Bouldin*, 57 Md. 317. See also *Muhr v. Pinover*, 67 Md. 489; *Fowler v. Gray*, 99 Md. 598. (As to waiver, see also sec. 14.)

Where execution is levied on a defendant's equity of redemption in two tracts of land, and before the sale the defendant notifies sheriff that he claims his exemption, and no appraisers were summoned, defendant is entitled to \$100 of proceeds of sale, and sheriff's bond is liable therefor. *Fowler v. Gray*, 99 Md. 598.

This section should be liberally construed. Where a debtor has made a deed for benefit of his creditors, he is entitled to his exemption; also, when debtor becomes an insolvent. *Muhr v. Pinover*, 67 Md. 487; *Fowler v. Gray*, 99 Md. 599; *Darby v. Rouse*, 75 Md. 28.