

the petition, and the amount of the claim shall be ascertained as in other cases.

Id s 35
1838, c 205, s 20
Judgment, how
enforced

35. Every judgment rendered on a *scire facias*, under this article, may be enforced by execution, as other judgments.

Id s 36
1838, c 205, s 21
Proceeds, how
divided when
insufficient.

36. If the proceeds of such building and ground shall not be sufficient to pay the full amount of all debts due, as aforesaid, for work done and material furnished, after deducting therefrom any prior liens on the same, then such debts shall be averaged, and the said creditors shall be paid in proportion to their respective demands.

Id s 37
1838, c 205, s 22.
Any person in-
terested in
building may
have rule on
claimant

37. In any case in which a claim shall be filed as aforesaid against any building, and no *scire facias* shall have issued thereon, any person interested in such building may apply by petition to the Superior Court of Baltimore City or the Circuit Court for the county, as the case may be, setting forth the facts, whereupon said court may grant a rule upon the claimant, and others interested, to appear in court, by a given day, and on return of such rule may proceed in the same manner as if a *scire facias* had been issued and returned.

Proceedings

Id s 38
1838, c 205, s 23,
1841, c 76, s 15
When lien to
expire, how
revived
10 Md 1. 19 Md
136

38. The lien of every such debt, for which a claim may have been filed as aforesaid, shall expire at the end of five years from the day on which it was filed, unless the same shall be revived by *scire facias*, in the manner provided by law in the case of judgments, in which case such lien shall continue in like manner for another period of five years, and so on, from one such period to another, unless such lien be satisfied or extinguished by a sale, or otherwise, according to law.

Id s 39
1838, c 205, s 24
Satisfaction to
be entered,
when paid

39. In every case in which the amount of any such lien shall be paid, or otherwise satisfied, the claimant, or his legal representative, at the request of the owner of the building, or of any other person interested therein, and on payment of the costs, shall enter satisfaction on the record of such claim, in the office of the clerk of the Circuit Court for the county, or Superior Court of Baltimore City, as the case may be, which shall forever discharge and release the same.

Id s 40
1838, c 205, s 25.
Penalty for
neglect to
enter

40. If any person who shall have received satisfaction for such claim shall neglect or refuse to enter satisfaction therefor within sixty days after the request, and payment of the costs of suit, he shall forfeit and pay to the party aggrieved any sum, not exceeding one-half of the amount of such claim, to be recovered in the same manner as debts of a like amount are recoverable.

Id s 41.
1845, c 287, s 1
Lien laws to be
construed lib-
erally
5 Md 422, 10
Md 268, 11 Md
91, 15 Md 1,
34 Md 35, 46
Md 464
6 Gall 27.
Proceedings

41. This article (subtitle Liens of Mechanics and others) shall be construed and have the same effect as laws which give general jurisdiction, or are remedial in their nature, and such amendments shall, from time to time, and at any time, be made in the proceedings, commencing with the claim or lien to be filed, and extending to all subsequent proceedings, as may be necessary and proper; *provided*,