

vessel, or, if neither can be found within his bailiwick, shall set up a copy of the writ, or a short notice containing the substance thereof, at the postoffice nearest to the place where such boat was built and shall also cause a copy to be published once in each of two consecutive weeks in some newspaper having general circulation in said county or city.

1888, art. 63, sec 51. 1860, art. 61, sec. 51. 1856, ch. 294, sec. 4.

50. Upon the return of the writ endorsed "summoned" by the sheriff, or where the owner or his agent cannot be found upon its return with the sheriff's and printer's certificates showing that a copy was set up at the nearest postoffice, and also published as directed in the preceding section, if the owner or his agent do not appear, judgment shall be rendered for the principal and interest of the claim and costs.

Ibid. sec. 52. 1860, art. 61, sec. 52. 1856, ch. 294, sec. 4.

51. If the owner shall appear on the return of the writ he may, with consent of the claimant, submit the case upon the evidence to the court, or either party may demand a trial by jury, which shall be had at the term to which the writ is returnable, unless for good cause the court shall continue the cause.

Ibid. sec. 53. 1860, art. 61, sec. 53. 1856, ch. 294, sec. 4.

52. The judgment rendered in such *scire facias* may be enforced as other judgments and the sheriff shall deposit the money made thereon with the clerk of the court to be disbursed under the order of the court among the parties entitled to the same.

NOTE The act of 1898, chapter 502, repeals sections 1, 2, 10, 11, 13, 14, 17, 20, 21, 23, 27, 30, 36 and 42 of this article, so far as these sections relate to Baltimore city, and re-enacts them with amendments limiting the right of lien in Baltimore city to mechanics and workmen for unpaid work and labor and putting an end as to Baltimore city to the lien heretofore existing in favor of material men. The pre-existing law is not changed by this act as to the counties. This act has been held to be constitutional. *Goldman v Brinton*, 90 Md. 266. *Wilson v Simon*, 91 Md. 1. The act of 1902, chapter 432, makes a change as to Baltimore county.