

CHAPTER 250.

(House Bill 172)

AN ACT to add two new sections to Article 63 of the Annotated Code of Maryland (1924 Edition), title "Mechanics' Lien", said new sections to be known as Section 36A and 36B and to follow immediately after Section 36 of said Article, relating to discharge of liens under certain conditions.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That two new sections be and they are hereby added to Article 63 of the Annotated Code of Maryland (1924 Edition), title "Mechanics' Lien", said new sections to be known as Sections 36A and 36B, to follow immediately after Section 36 of said Article and to read as follows:

36A. In any suit to enforce a lien hereunder, the owner of the building and premises to which such lien may have attached, as aforesaid, may be allowed to pay into court the amount claimed by the lienor, and such additional amount, to cover interest and costs, as the court may direct, or he may file a written undertaking, with two or more sureties, to be approved by the court, or Clerk thereof, to the effect that he and they will pay the judgment that may be recovered and costs, which judgment shall be rendered against all the persons so undertaking. On the payment of said money into court, or the approval of such undertaking, the property shall be released from such lien, and any money so paid in shall be subject to the final decree of the court.

36B. Undertaking to discharge liens before suit.—Such an undertaking as mentioned in Section 36A may be offered before any suit brought in order to discharge the property from existing liens, and the same proceedings shall be had as above directed in relation to the undertaking to be given after the commencement of the suit, and said undertaking shall be to the effect that the owner and his said sureties will pay any judgment that may be rendered in any suit that may thereafter be brought for the enforcement of said lien.

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1939.

Approved May 3, 1939.