

PHILIP F. THOMAS, ESQUIRE, GOVERNOR. 1847-1

sue one scire facias to recover the same, which writ of scire facias shall specify the amount claimed on each house, and it shall and may be lawful for any party in interest upon the return of the said writ of scire facias to apply for and have as many cases docketed as there are houses proceeded against, and that separate judgments shall and may be entered against each of the said houses, and the same proceedings shall be had as would have taken place if separate liens had been filed.

SEC. 9. *And be it enacted*, That whenever it shall be made manifest to the court by any persons concerned that a sale of the premises upon which claims shall be filed under and by virtue of the original act of assembly to which this is a supplement, and of the supplements thereto, will not probably realize a sufficient sum of money to satisfy all liens and incumbrances upon it, that in such case it shall be the duty of the court to pass an order which shall be entered on the mechanics lien docket, appointing a trustee to make sale of the said premises, and out of the proceeds first to pay all prior liens and incumbrances, if any there be, secondly the expenses of sale and legal costs growing out of such proceedings, and such commissions as the court may think proper to allow to the trustee, and lastly all claims and liens upon the property filed under and by virtue of the original act and its supplements, to which this is a supplement, which shall have been adjudged correct and proper by the court, and in case there should not be a sufficient sum to satisfy all the claims last aforesaid, then to divide said sum, whatever it may be, rateably among said lien creditors who have recorded judgment on the last aforesaid claims, said trustee first giving bond, and proceeding in the same manner as trustees appointed by a court of equity to make sales under decrees or mortgages.

SEC. 10. *And be it enacted*, That this act of assembly shall have and take effect from and after the first day of March next.