

SEC. 36. *And be it further enacted*, That Section 7 of Article 60 of the Code, title "Mandamus", be and it is hereby repealed and re-enacted, with amendments, as follows:

7.

[Such issue] *An action for a writ of mandamus shall be tried by a jury if either party desire it* [; but they may be heard or determined by the court if both parties agree †; and in case a verdict shall be found for the petitioner, or if the court upon hearing determine in favor of the petitioner, or judgment be given for him upon demurrer or for want of a plea, such petitioner shall thereupon recover his damages and costs as he might have done in an action on the case for a false return, to be levied by execution or attachment and a peremptory writ of mandamus shall be granted thereupon without delay against the defendant].

SEC. 37. *And be it further enacted*, That Section 28 of Article 63 of the Code, title "Mechanics' Lien, sub-title "In General" and Section 39 of Article 63 of the Code, title "Mechanic's Lien", sub-title "Boats and Vessels" be and they are hereby repealed and re-enacted, with amendments, to read as follows:

28.

The lien of every such debt for which a claim may have been filed according to the provisions of this article shall expire at the end of two years from the day on which it was filed, during which time the claimant may bring proceedings in equity to enforce a lien, and the owner of the property subject to the lien, or any other person interested therein, may bring proceedings in equity to compel the claimant to prove the validity of the lien or have it declared void [; and in case the lien claimant or his assigns may be nonresidents of the State of Maryland or may be persons who may be proceeded against as such nonresidents, notice may be given to him, it or them by publication as in other equity cases;] and the expiration of such lien shall be stayed by the filing, within said two year period, of any such proceeding in equity until the conclusion of such proceeding.

39.

The claimant under such lien on any boat or vessel may enforce the same by proceedings in equity [according to the provisions of Section 24 of this article].

SEC. 38. *And be it further enacted*, That Section 5 of Article 66 of the Code, title "Mortgages", sub-title "In General" be and it is hereby repealed and that a new Section 5 be and it is hereby enacted in lieu thereof, to stand in the place of the Section repealed and to read as follows:

5 (a) *In all mortgages of lands or of chattels real, or of goods and chattels personal, situated in the State of Maryland, there may be inserted a provision authorizing any natural person named therein, including the mortgagee, to sell the mortgaged property or declaring the mortgagor's assent to the passing of a decree for the sale of the mortgaged property, upon default in a condition upon which the mortgage provides that a sale may be made.*