

For case involving enforcement of a lien by sureties, who guaranteed against liens, see German, etc., *Church v. Heise*, 44 Md. 476. See also *Pinning v. Skipper*, 71 Md. 351.

Cited but not construed in *Ortwine v. Caskey*, 43 Md. 136.  
See notes to sec. 15.

An. Code, sec. 26. 1904, sec. 26. 1888, sec. 26. 1838, ch. 205, sec. 14.

**26.** If the proceeding to enforce such lien is by *scire facias*, the *scire facias* shall recite the filing of the claim with the name of the owner of the property to be affected by the lien, the name of the claimant and the amount of claim and the date of filing the same, with the usual clause of *scire facias* to the persons to be affected by such writ.

Where a claim is filed for separate amounts against two different buildings, two sums should not be blended in writ and a lien for whole claimed on each building. *Plummer v. Eckenrode*, 50 Md. 234.

An action under this section is not a suit for debt or damage, but a proceeding *in rem*. *Miller v. Barroll*, 14 Md. 184. And see *Shyrock v. Hensel*, 95 Md. 626.

The *sci. fa.* notifies the defendant and gives him an opportunity of showing cause against enforcing the lien. *Kees v. Kerney*, 5 Md. 422.

An. Code, sec. 27. 1904, sec. 27. 1888, sec. 27. 1838, ch. 205, sec. 15. 1845, ch. 287, sec. 10.

**27.** No *scire facias* on such claim shall be issued in the city of Baltimore within fifteen days nor in any county within thirty days from the return day of such writ.

An. Code, sec. 28. 1904, sec. 28. 1888, sec. 28. 1838, ch. 205, sec. 17.

**28.** The said writ shall be served in the same manner as other writs of *scire facias* upon the defendant therein named, if he can be found within the city or county, and a copy thereof shall be left with some person residing in the building, but if not occupied as a residence the sheriff shall affix a copy thereof upon the door or other front part of such building.

Where the *sci. fa.* is issued against certain parties only, and notice required by sec. 29 is not given, judgments recovered cannot affect rights of third persons having liens. *McKim v. Mason*, 3 Md. Ch. 210.

This section must be strictly complied with by the sheriff, and his return must show a full compliance. *Plummer v. Eckenrode*, 50 Md. 232.

An. Code, sec. 29. 1904, sec. 29. 1888, sec. 29. 1838, ch. 205, sec. 17. 1845, ch. 287, sec. 9.

**29.** The sheriff shall also give notice thereof to all other claimants and persons interested by advertisement, specifying in such notice the name of the claimant or person filing the lien, the name of the owner or supposed owner of the building and the name of the contractor, if any, at whose instance the work was done or materials furnished, the amount claimed to be due, the locality of the building against which the lien has been filed, such as a building fronting on a named street in the city of Baltimore, or a building situated on a farm in a named county occupied by a named person, or such general description of locality as may appear to the said sheriff to be sufficient, and the sheriff of Baltimore city, when the writ is directed to him, shall publish the said notice in two daily newspapers published in the city of Baltimore, the first notice to be published at least ten days before the return day of the writ and shall continue the same once or twice or thrice a week as he may think proper, the expense of publication in each newspaper not to exceed five dollars, and the sheriff of any