

claimant filing the petition and the amount of the claim shall be ascertained as in other cases.

1888, art. 63, sec. 35. 1860, art. 61, sec. 35. 1838, ch. 205, sec. 20.
1886, ch. 228.

35. Every judgment rendered on a *scire facias* under this article may be enforced by execution or otherwise, as other judgments are; but after a *scire facias* has been issued and returned, the failure of the lienor to prosecute the same with effect shall entitle the defendant therein to his costs and a judgment discharging the lien claimed, unless the court for good cause shown shall permit the plaintiff in such *scire facias* to dismiss the same without prejudice to the further assertion of his lien; and in granting such permission, the court may impose such conditions on the plaintiff as it may deem proper; and whatever judgment may be entered on any *scire facias* shall be noted on the record of such claim in the clerk's office of said court.

Ibid. sec 36. 1860, art. 61, sec. 36. 1838, ch. 205, sec 21.

36. If the proceeds of such building and ground shall not be sufficient to pay the full amount of all debts due as aforesaid for work done and materials furnished, after deducting therefrom any prior liens on the same, then such debts shall be averaged and the said creditors shall be paid in proportion to their respective demands.

Ibid. sec 37. 1860, art. 61, sec. 37. 1838, ch. 205, sec. 22. 1886, ch 228

37. In any case in which a lien claim shall have been filed against any building and in which no proceedings towards enforcing the same are pending, the superior court of Baltimore city or the circuit court for the county, as the case may be, may, on the motion or petition of any person interested in the property affected, require the lien claimant to appear in court by a given day and proceed to the trial and final disposition of the issues involved in such claim in the same manner as if a *scire facias* had been issued and returned at his instance and under the same penalties as to defaults as are provided in section 35 of this article.

Ibid. sec. 38. 1860, art 61, sec. 38. 1838, ch 205, sec. 23.
1841, ch. 76, sec 15

38. The lien of every such debt for which a claim may have been filed as aforesaid shall expire at the end of five years from the day on which it was filed, unless the same shall be revived