

as shall be most convenient for the administration of equity among all persons interested.

SEC. 8. *And be it enacted*, That if the building against which any claim shall be filed as aforesaid, or any of the ground adjacent thereto, shall be sold by virtue of an execution, upon any mortgage or judgment, before the extent of the lien of the claimant shall be ascertained, as aforesaid, the court out of which such execution shall have issued, shall have power to determine the rights of the respective parties, and the apportionment or appropriation of all liens as aforesaid, and for that purpose may appoint an auditor to inquire into, and report the facts, and may decree distribution of the proceeds accordingly, or upon the application of any of the parties, may direct an issue, for the determination of disputed facts.

Case of sale under execution.

Court authorized to determine rights.

Decree distribution.

SEC. 9. *And be it enacted*, That the lien for work and materials aforesaid, shall only be preferred to every other lien, or incumbrance, which attached upon such building and ground, or either of them, subsequently to the commencement of such building; *Provided*, that if the contract for furnishing such work or materials, shall have been made with any architect, builder, or other person, except the owner of the lot upon which such building may be erected, or his agent, the person so doing work, or furnishing materials, shall not be entitled to a lien as aforesaid, unless within thirty days after making such contract to furnish work or materials, he shall give notice in writing to such owner or his agent, if resident within the city or county of Baltimore, of the same, and that he intends to claim the benefit of the lien hereby given.

Lien only preferred to liens subsequent to commencing.

Articles furnished to other than owner of lot, not entitled.

Except.

SEC. 10. *And be it enacted*, That every person entitled to such lien, shall file a claim, or statement of his demand, in the office of the clerk of Baltimore county court.

Claims to be filed.

SEC. 11. *And be it enacted*, That every claim as aforesaid, must set forth: First, The name of the party claimant, and of the owner, or reputed owner of the building, and also of the contractor, architect, or builder, where the contract of the claimant was made with such contractor, architect or builder: Second, The amount, or sum claimed to be due, and the nature or kind of the work done, or the kind and amount of materials furnished, and the time when the materials were furnished, or the work was done, as the case may be: Third, The locality of the building, and the size and number of the stories of the same, or such other matters of description as shall be sufficient to identify the same.

Names.

Amount.

Time.

Place, &c. identified.

SEC. 12. *And be it enacted*, That in every case in which one claim for materials shall be filed by the person preferring the same, against two or more buildings, owned by the same person, the person filing such joint claim, shall, at the same

Case of more than one building.