

which execution issued, or which passed such decree, or by which such trustee was appointed, may determine the respective rights of the parties and the apportionment and appropriation of all liens and for that purpose may appoint an auditor to inquire into and report the facts; or, upon application of any of the parties, may direct an issue to try the facts and may decree distribution accordingly.

Where a machine against which a mechanics' lien claim has been filed is sold in equity *en masse* with real estate, with an agreement that the whole was to be sold free from incumbrances, lien claimant is entitled to share in the proceeds, and to that end, relative value of real estate and machinery may be proven. *Wells v. Canton Co.*, 3 Md. 242 (overruling *Jones v. Hancock*, 1 Md. Ch. 190). And see *McKim v. Mason*, 3 Md. Ch. 186.

An. Code, sec. 17. 1904, sec. 17. 1888, sec. 17. 1838, ch. 205, sec. 10. 1890, ch. 107.

17. Each person entitled to such lien shall file a claim or statement of his demand in the office of the clerk of the circuit court for the county or the superior court of Baltimore city, as the case may be, and such claim or statement shall be re-delivered by the clerk to the party filing the same after it has been recorded as provided in section 18.

Cited but not construed in *Franklin Ins. Co. v. Coates*, 14 Md. 296.
See sec. 23 and notes.

An. Code, sec. 18. 1904, sec. 18. 1888, sec. 18. 1838, ch. 205, sec. 3.

18. The clerks of the circuit courts for the several counties and the superior court of Baltimore city shall each procure and keep a docket or book to be called "The mechanics' lien docket," in which he shall record all designations or descriptions of lots or pieces of ground and all claims which may be filed by virtue of this article together with the day of filing the same and shall cause the names of the owner of the lot of ground and of the contractor, architect or builder, if such be named, and of the person claiming the lien under this law to be recorded therein.

An. Code, sec. 19. 1904, sec. 19. 1888, sec. 19. 1838, ch. 205, sec. 11.

19. Every such claim shall set forth: first, the name of the party claimant and of the owner or reputed owner of the building, and also of the contractor or architect, or builder, when the contract was made by the claimant with such contractor, architect or builder; second, the amount or sum claimed to be due and the nature or kind of work or the kind and amount of materials furnished and the time when the materials were furnished or the work done; thirdly, the locality of the building and the number and size of the stories of the same, or such other matters of description as may be necessary to identify the same.

How contract should be set out.

A lien claim which includes work and materials under two or more contracts should give dates for each, and general statement that work had been finished and materials furnished within less than six months is not sufficient. *Clark v. Boarman*, 89 Md. 432.

Where contract is to do certain work and to furnish certain materials for a lump sum, claim filed under this section need not do more than set out contract price, no amount having been fixed on work or materials separately. *Gunther v. Bennett*, 72 Md. 388. And see *Pue v. Hetzell*, 16 Md. 549.

A lien claim held insufficient, as not showing the nature and character of the contract. *Baker v. Winter*, 15 Md. 9.