

repairing, equipping or refitting of such boat or vessel, deliver to the clerk of the circuit court for the county where the building, repairing, equipping or refitting was done, or the clerk of the circuit court of Baltimore City, if done in the City of Baltimore, an account or statement verified by the oath of the claimant taken and subscribed before some justice of the peace or other officer authorized to administer an oath, setting forth the names of the claimant and debtor; and, if the debt was not contracted by the owner but by his agent, the name of such agent, the name or other certain description of the boat or vessel and the place where built, repaired, equipped or refitted and the particulars or items of the claim or debt; and which account or statement shall be re-delivered by such clerk to the party filing the same after it has been recorded as provided in section 36.

A claim is filed in time if it is filed within six months from time of commencement of work for which the claim is filed—it need not be within six months from time of commencement of building of vessel. A designation of the "place where" the boat was built held to be sufficient. Question of who was owner of a vessel, passed on. *Lucas v. Taylor*, 105 Md. 104.

This section referred to in construing sec. 38—see notes thereto. The *D. B. Steelman*, 48 Fed. 583; *The Marcella Ann*, 34 Fed. 143.

See secs. 19, 23, 34 and notes.

An. Code, 1924, sec. 45. 1912, sec. 45. 1904, sec. 45. 1888, sec. 46. 1856, ch. 294, sec. 1. 1865, ch. 190. 1939, ch. 754, sec. 45.

36. The clerks of the several circuit courts for the counties and of the circuit court of Baltimore City shall each keep a docket to be called "Boats' lien docket," wherein it shall be the duty of each of said clerks, upon application being made to him in accordance with the requirements of the preceding section, to record the said statements or accounts filed with him and, immediately thereafter, he shall docket a case between the parties to the claim, entering the claimant as plaintiff and the boat and its owner and the owner's agent, where the debt was contracted by an agent, as defendant, and the day when such claim was filed, and the amount thereof; and the clerk shall be entitled to fifty cents for each entry, to be paid by the defendant and taxed as costs against him, for which and for other costs in prosecuting the claim the defendant shall be liable, in case the lien be established; the clerk to be allowed the same fees for recording said statement or account as are now allowed for recording deeds or bills of sale.

This section referred to in construing sec. 38—see notes thereto. The *D. B. Steelman*, 48 Fed. 583; *The Marcella Ann*, 34 Fed. 143.

An. Code, 1924, sec. 46. 1912, sec. 46. 1904, sec. 46. 1888, sec. 47. 1856, ch. 294, sec. 2. 1865, ch. 190.

37. Every such boat or vessel against which an account or statement shall be filed under this article shall be subject to a lien for the debt and cost justly chargeable against it for two years from the day on which the account or statement shall be filed and no longer; but the claimant may have the benefit of any other lien upon said boat or vessel to which he may be entitled by mortgage, bill of sale, or otherwise.

Although proceedings to enforce lien must be taken within two years, the proceedings may be continued, and a decree passed thereafter. *Lucas v. Taylor*, 105 Md. 111.

This section referred to in construing sec. 38—see notes thereto. The *D. B. Steelman*, 48 Fed. 583; *The Marcella Ann*, 34 Fed. 143.

See sec. 28 and note.

An. Code, 1924, sec. 47. 1912, sec. 47. 1904, sec. 47. 1888, sec. 48. 1856, ch. 294, sec. 3.

38. The lien given by this article on boats or vessels shall not entitle the claimant to preference over creditors or claimants secured by mort-