

tractor or builder shall receive only the difference between the amount due him and that due the person giving the notice.

14. Any person furnishing the work or materials, or both, and complying with the provisions of this article, shall be entitled to the lien hereby given, without regard to the amount of his or their claim.

15. The lien hereby given shall be preferred to all mortgages, judgments, liens, and incumbrances which attach upon the said building or the grounds covered thereby subsequently to the commencement thereof, and all the mortgages and liens other than liens which have attached thereto prior to the commencement of the said building, and which by the laws of this State, are required to be recorded, shall be postponed to said lien, unless recorded prior to the commencement of said building.

16. If the building against which any claim shall be filed under this article, or any of the ground adjacent thereto, shall be sold under judgment or decree on mortgage, or any other decree or process of any court of law or equity, or by a trustee of an insolvent debtor, before the extent of the lien of the claimant shall be ascertained as before directed, the court from 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.

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.

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 Mechanic's 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.

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.

Id s 14
1845, c 176, s 5
Who entitled
to lien

Id s 15
1838, c 205, s 9,
1845, c 287, s 7
To what to be
preferred
4 Md 234, 7 Md
315, 9 Md 179,
34 Md 108 86
Md 65, 38 Md
288, 45 Md. 389,
46 Md 578
1 Md Ch 187,
3 Md Ch 186,
6 Gill 17

Id s 16
1838, c 205, s 8,
1845, c 287, s 8
How priorities
ascertained
where building
sold under legal
process
3 Md 234, 9
Md 179
3 Md Ch 186

Id s 17
1838, c 205, s 10
Where claim of
lien to be filed
14 Md 183, 29
Md 595.

Id s 18
1838, c 205, s 3
Clerks to keep
record.

Id s 19
1838, c 205, s 11
What claim
shall set forth
5 Md 422, 14
Md 296, 15 Md
1, 16 Md 539,
34 Md 36
6 Gill, 27