

*v. Pumphrey*, 36 Md 361 *Trustees, &c. v. Heise*, 44 Md 453. *Blake v. Pitcher*, 46 Md 465 *Reindollar v Flickinger*, 59 Md 472 *Kenly v. Sisters of Charity of St. Joseph*, 63 Md. 309 *Conway v Crook*, 66 Md 291.

P. G. L., (1860,) art 61, sec. 12. 1845, ch. 176, sec. 2.

**12.** If such notice cannot be given on account of absence, or other causes, the claimant or his agent may, in the presence of a competent witness, and within sixty days, place said notice upon the door or other front part of said building, and shall file a claim with the clerk of the circuit court for the county or the superior court of Baltimore city, as the case may be, as herein-after mentioned.

*Kenly v. Sisters of Charity of St Joseph*, 63 Md 309.

*Ibid.* sec. 13. 1845, ch. 287, sec. 8.

**13.** In all cases in which a contractor or builder of a house shall have purchased materials or contracted for work, and the party with whom such contract was made shall have given notice as required in the two preceding sections to the owner of such building, it shall be lawful for the owner to retain from the cost of such building the amount which he may ascertain to be due to the party giving such notice; and in case any lien be laid by the party giving such notice, and be also laid by the contractor or builder, the said contractor or builder shall receive only the difference between the amount due him and that due the person giving the notice.

*Weber v. Weatherby*, 34 Md. 656.

*Ibid.* sec. 14. 1845, ch. 176, sec. 5.

**14.** Any person furnishing 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 claim.

*Watts v. Whittington*, 48 Md. 354.

*Ibid.* sec 15 1845, ch 287, sec 7. 1838, ch. 205, sec. 9.

**15.** The lien hereby given shall be preferred to all mortgages, judgments, liens and encumbrances which attach upon the said building or the grounds covered thereby subsequently to the commencement thereof; and all the mortgages and liens other than