

1888, art. 63, sec. 3. 1860, art. 61, sec. 3. 1845, ch. 287, sec. 5.

3. No person having such lien shall be considered as waiving the same by granting a credit or receiving notes or other securities, unless the same be received as payment or the lien be expressly waived, but the sole effect thereof shall be to prevent the institution of any proceedings to enforce said lien until the expiration of the time agreed upon.

Thomas v. Turner, 16 Md. 105. *Sodini v. Winter*, 32 Md. 130. *Blake v. Pitcher*, 46 Md. 467. *McLaughlin v. Reinhart*, 54 Md. 76. *Willison v. Douglas*, 66 Md. 101. *Pinning v. Skipper*, 71 Md. 347. *Brick Co. v. Spilman*, 76 Md. 377.

Ibid. sec. 4. 1860, art. 61, sec. 4. 1838, ch. 205, sec. 2.

4. The said lien shall extend to the ground covered by such building and to so much other ground immediately adjacent thereto and belonging in like manner to the owner of such building as may be necessary for the ordinary and useful purposes of such building, the quantity and boundaries whereof shall be designated in the following manner.

Beehler v. Ijams, 72 Md. 195.

Ibid. sec. 5. 1860, art. 61, sec. 5. 1838, ch. 205, sec. 4.

5. The owner of any lot or farm who may be desirous of erecting any building or of contracting with any person for the erection thereof may define in writing the boundaries of the lot or land or curtilage appurtenant to such building previously to the commencement thereof and file the same with the clerk of the circuit court for the county, or of the superior court of Baltimore city, as the case may be, for record, and such designation of boundaries shall be obligatory upon all persons concerned.

Ibid. sec. 6. 1860, art. 61, sec. 6. 1838, ch. 205, sec. 5. 1845, ch. 287, sec. 6.

6. In default of such designation of boundaries previous to the commencement of any building, it shall be lawful for the owner of such lot or piece of ground, or for any person having a lien upon the same by mortgage, judgment or otherwise, or entitled to a lien by virtue of this article, to apply by petition in writing to the judge of the circuit court for the county or the superior court of the city of Baltimore to designate the boundaries.

Ibid. sec. 7. 1860, art. 61, sec. 7. 1838, ch. 205, sec. 6.

7. It shall be the duty of said court to issue an order to the county or city surveyor or some other surveyor to examine