

claimant may have the benefit of any lien upon said boat or vessel to which he may be entitled by mortgage, bill of sale, or otherwise.

38.

The lien given by this article on boats or vessels shall not entitle the claimant to preference over creditors or claimants secured by mortgage or bill of sale properly executed and recorded before the claim to be secured by such lien shall have accrued.

39.

The claimant under such lien on any boat or vessel may enforce the same by proceedings in equity.】

34.

*Whenever a boat or any part thereof is left by the owner or by any person with his authority, express or implied, in the custody of any corporation, firm or individual, association or person for repair, rebuilding, storage, or for the purpose of having furnished for or on account of the same any parts or accessories, the corporation, firm, individual, association or person in whose custody said boat or part thereof is left for all or any of the purposes aforesaid, shall have a lien on said boat or part thereof for all charges so incurred, and may lawfully retain the same until said charges have been paid, or until said lien is extinguished or discharged as hereinafter provided. Said lien shall be superior to the rights of the holders of conditional sale contracts, bills of sale, chattel mortgages or other liens or claims of any kind which are not theretofore executed and recorded or filed for record as required by law, but shall be subordinate thereto where the same have been theretofore executed and recorded as required by law. Surrender or delivery of any boat subject to the lien aforesaid shall operate as a waiver or extinguishment of the same as against third persons without notice thereof, but shall not operate as such waiver or extinguishment as against the owner or as against third persons with notice.*

35.

*Should the owner dispute the amount of the charge, or any part thereof, for which the lien is claimed as aforesaid, such dispute may be determined by appropriate legal proceedings, and the institution of any such legal proceedings shall operate as a stay of execution under said lien until the amount thereof shall have been judicially determined, or the owner of such boat shall have the right to immediately repossess himself of his said boat upon filing a good and sufficient corporate bond, in double the amount of said claim, with the clerk of the circuit court for the county, or with the clerk of the Circuit Court of Baltimore City, where the corporation, firm, individual, association, or person claiming such lien, may have repaired or stored said boat which said bond shall be approved by the clerk of said court, and which said bond shall be conditioned upon the payment of the full amount of any final judgment which may be recovered upon such claim, together with interest, and all costs incident to any such suit and any costs and expenses which may have been incurred in connection with the enforcement of such lien up to the time that such lien claimant is notified of the filing of such bond. And the filing of such bond shall operate as a stay of execu-*