

one such period to another, unless such lien be satisfied or extinguished by a sale or otherwise according to law.

Under this section, the *sci. fa.* must issue within five years; lien compared with a judgment. *Blocher v. Worthington*, 10 Md. 4. And see *Lucas v. Taylor*, 105 Md. 112.

See sec. 46 and note.

An. Code, sec. 39. 1904, sec. 39. 1888, sec. 39. 1838, ch. 205, sec. 24.

**39.** In every case in which the amount of any such lien shall be paid or otherwise satisfied, the claimant or his legal representative, at the request of the owner of the building or of any other person interested therein, and on payment of the costs, shall enter satisfaction on the record of such claim in the office of the clerk of the circuit court for the county or superior court of Baltimore city, as the case may be, which shall forever discharge and release the same.

An. Code, sec. 40. 1904, sec. 40. 1888, sec. 40. 1838, ch. 205, sec. 25.

**40.** If any person who shall have received satisfaction for such claim shall neglect or refuse to enter satisfaction therefor within sixty days after request and payment of the costs of suit, he shall forfeit and pay to the party aggrieved any sum not exceeding one-half of the amount of such claim, to be recovered in the same manner as debts of a like amount are recoverable.

An. Code, sec. 41. 1904, sec. 41. 1888, sec. 41. 1845, ch. 287, sec. 1.

**41.** This article shall be construed and have the same effect as laws which give general jurisdiction or are remedial in their nature; and such amendments shall, from time to time and at any time, be made in the proceedings, commencing with the claim or lien to be filed and extending to all subsequent proceedings, as may be necessary and proper; provided that the amount of the claim or lien filed shall not in any case be enlarged.

Where a claim as filed, states that A is contractor and B owner, it may be amended after time within which it might be filed, so as to show that A and C are both builders and equitable owners. What amendments will be allowed? *Real Estate Co. v. Phillips*, 90 Md. 524. See also *Lucas v. Taylor*, 105 Md. 109.

The right to amend extends beyond the time when judgment or decree has been entered. *Rust v. Chisolm*, 57 Md. 383; *Real Estate Co. v. Phillips*, 90 Md. 527.

The failure of plaintiff who has been granted leave in an equity proceeding to amend, to file an amended claim, is not a bar to the enforcement of the amended claim against parties to equity case; *contra*, perhaps, as to *bona fide* purchasers for value without notice of amendment. *Lucas v. Taylor*, 105 Md. 110.

The notice prescribed by sec. 11, cannot be amended under this section, after expiration of the sixty days within which it must be filed. *Kenly v. Sisters of Charity*, 63 Md. 311.

After expiration of time within which lien might be filed, a claimant cannot amend same, so as to change location of property. Limitations upon the right of amendment. *Gault v. Wittman*, 34 Md. 35; *Real Estate Co. v. Phillips*, 90 Md. 525.

The operation of this section, limited. *Kenly v. Sisters of Charity*, 63 Md. 308; *Plummer v. Eckenrode*, 50 Md. 232; *New England, etc., Co. v. B. & O. R. R. Co.*, 11 Md. 91. *Cf. Hess v. Poultney*, 10 Md. 267.

This section applied, and other sections referred to as indicating the same principle of construction. *Blake v. Pitcher*, 46 Md. 464. And see *Lucas v. Taylor*, 105 Md. 111; *Real Estate Co. v. Phillips*, 90 Md. 526; *Hermann v. Mertens*, 87 Md. 727; *Rust v. Chisolm*, 57 Md. 382.