

building may be erected, or his agent, the person so doing work or furnishing materials, or both, shall not be entitled to a lien unless, within sixty days after furnishing the same, he or his agent shall give notice in writing to such owner or agent, if resident within the city or county, of his intention to claim such lien.

*Greenway v Turner*, 4 Md. 296. *Hess v. Poultney*, 10 Md. 267. *Thomas v. Barber*, 10 Md. 390. *Shoop v Powles*, 13 Md. 304. *Miller v. Barroll*, 14 Md. 173. *Pue v. Hetzell*, 16 Md. 539. *Weber v. Weatherby*, 34 Md. 656. *Jarden v. Pumphrey*, 36 Md. 361. *Trustees, etc., 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. *Real Estate Co. v Phillips*, 90 Md. 524. *Wilson v. Simon*, 91 Md. 4

1888, art. 63, sec. 12. 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 hereinafter mentioned.

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

*Ibid.* sec. 13. 1860, art. 61, 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. 1860, art. 61, 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.