

claim under the provisions of this Act has been instituted and a certificate thereof duly registered.

499 Priority of Lienholders. Liens have priority over all judgments, executions, assignments, or garnishments issued after such lien arises, and over all payments made on account of the sale of the property or a mortgage thereon after notice in writing of such lien to the person making such payments, or after the registration of the lien.

Among the lienholders themselves each *class* shall share the proceeds recovered *pro rata*, according to their several classes and rights.

500 Priority for Wages. Every mechanic or laborer whose lien is for wages shall, to the extent of thirty days' wages, have priority over all other classes of liens to the extent of the amount of the percentage reserved from the contract price. In British Columbia the priority is for six weeks' wages. All such mechanics or laborers share *pro rata* in the sum recovered. Wage-earners may also enforce a lien before the contract is completed.

In case of a contractor or sub-contractor making default in finishing his contract, the percentage due such contractor or sub-contractor for work done or materials furnished at the time when the lien is claimed by wage-earners cannot be used for any other purpose, or for payment of damages for the non-fulfilment of the contract to the prejudice of the wage-earners.

Every device by any owner, contractor or subcontractor to defeat the priority thus given to wage-earners for their wages is null and void.

501 Transfer of Lien. A lienholder may assign his right of a lien by an instrument in writing. A lienholder dying, his right of lien passes to his personal representative.

502 Discharge of Lien. A lien may be discharged by a receipt signed by the claimant or his agent, duly authorized in writing acknowledging payment and verified by affidavit and registered. The fee for registering the discharge is the same as for registering the claim.

503 Vacating a Lien. Upon payment into Court or receiving sufficient security, or upon other grounds, the Court or Judge may vacate the registration of the lien.

504 Lienholders Demanding Terms of Contract, etc. If the owner or his agent refuse to give information concerning the terms of the contract, or knowingly falsely state the terms, or the amount due and unpaid thereon when demanded by a lienholder who suffers any loss thereby shall be liable to him in an action to the amount of such loss.

505 Mode of Enforcing a Lien. It is not necessary to issue a writ of summons, but merely to file in the proper office a statement of the claim verified by affidavit.

Any number of lienholders having a claim on the same property may join in the action.

An action brought by any lienholder is deemed to be brought on behalf of all the other lienholders on the property in question.

In Ontario an action to enforce a lien may be tried by a Judge of the