

the County Court shall enter in a lien-docket the name and residence of the claimant, the person against whom claimed, the amount and the date of filing, the street, lot and particular place where located, in such manner as to be convenient in searching for the liens by street, 5 block and lot, and he shall receive ten cents on filing the same. He shall also enter on his docket, a notice that a suit is commenced thereon, upon a notice of that fact and affidavit of service being filed with him, for which he shall receive ten cents; the Clerk of the County Court shall make searches for such liens on being furnished 10 with a proper description of any property and without reference to the individual against whom the lien is filed, and his fees shall be ten cents a year for the time embraced in such search.

7. In case the parties notified shall neglect to appear and object to or insist on any claim, the Court may take the proofs and determine the 15 equities of the parties, and in such case, or in cases where they appear and plead, the Court may determine the rights of all parties, and the amounts due to each, and by whom to be paid, and may order any questions tried by a jury, or refer the whole matter to a referee to examine and pass upon the rights of the respective parties and report 20 upon the same in a summary manner, on which every party shall be at liberty to take proofs for or against any claim or lien, and such judgment or decree shall be made thereon, as to the rights and equities of the several parties among themselves and as against any owner, as may be just; any party aggrieved by any decision may, within four- 25 teen days after the notice of the judgment or decree, appeal from such judgment or any part thereof, in the same manner and upon the same conditions as in case of appeal in ordinary actions.

Rights of parties, how determined.

8. Such appeal shall be a stay of proceedings (upon the terms ordered as to security or otherwise being complied with) until the hearing and determining of such appeal. 30

Effect of appeal.

9. Judgments may be enforced by an execution, on which the property on which the lien is adjudged may be sold and the proceeds distributed as ordered by such judgment, and personal liabilities may be enforced by execution against the property of any party against 35 whom a personal judgment shall have been rendered. The contractor shall be personally liable to the lien or for the whole amount of his indebtedness, and the owner to the extent of the amount due by him to his contractor.

Enforcement of judgments.

10. The lien so filed may be discharged; first, by filing a certificate 40 of the claimant, or his successor in interest, verified upon affidavit, stating the lien is discharged; secondly, by depositing the amount of any lien and interest to the credit of the lien, with the Clerk where the lien is filed, provided no action shall have been commenced for the enforcement of said lien, and in case an action shall 45 have been commenced, then such additional amount of security for the costs thereof, as a Judge of the Court where such action shall have been commenced shall deem proper, which sum shall be held subject to such lien in place of the land, building and buildings; third, by an entry of an order to discharge the same by any Judge of a Court of 50 Record made on due proof, that one year has elapsed and that no action or proceeding has been had on such lien, and a certificate of such Clerk that no notice of such proceeding has been filed with him; fourth, by a judgment or docket of a judgment exempting such pro-

How liens may be discharged.