

Date and duration of lien. III. The lien so created by this Act shall take effect from such fying, and such service of the said notice, and shall continue in full force for the space of one year thereafter: such lien may be discharged on such Register at any time by the Clerk on the production to and fying with him of a certificate signed by the contractor, laborer or other person claiming such lien, that the claim for which such lien was created is satisfied and discharged, which certificate shall be acknowledged or proved in the same manner as deeds are required to be acknowledged or proved to entitle the same to be recorded. 5

Mode of enforcing lien. IV. Any owner, and any contractor or laborer, or any person furnishing materials in pursuance of any contract made by such contractor, with such owner or his said agent therefor, may, after such labor has been performed or materials furnished, enforce or bring to a close such lien by serving or causing to be served personally on such owner or his agent, contractor or laborer or person furnishing materials, a notice requiring him to appear in the Division Court for the City, in which such building is situated, either in person or by Attorney; at a time certain on some day, to be specified in such notice not less than twenty days from the service thereof, and submit to an accounting and settlement in such Court of the amount due or claimed to be due under such contract for the labor thus performed or the materials thus furnished. 10 15 20

Bill of particulars. V. At the time of, or within ten days after the service of such notice, a bill of particulars of the amount claimed to be due shall be served personally on such owner, and accompanying the same shall be a notice to produce a bill of particulars of any off-set which may be claimed to the same, within ten days thereafter, which shall be served in like manner. 25

Claimant not appearing. VI. In case such contractor, laborer or person furnishing materials shall not appear and produce his claim as specified in sections four and five, he shall for ever lose the benefit and be precluded of his said lien; and in case such owner shall not appear in pursuance of the requirements of the said sections at the time and place specified in such notice, then his default may be entered in the book of the Judge of such Division Court, and thereupon a writ of enquiry and inquisition may issue to the Sheriff of the said County in which such City may be situated, to be executed on the amount of such claim as shall be assessed by the said Division Court, as the case may be, and judgment shall be entered upon the same, and execution shall issue for the enforcement of the said claim so adjudicated and established in the same manner as in cases upon judgments in such Courts in actions of *assumpsit*. 30 35 40

If both parties appear. VII. On the appearance of both parties in pursuance of the above requirements, issue shall be joined upon the claims made, and notices of set-off served; and the same may be noticed for trial and put upon the docket of the said Court by either party, and shall be governed, tried, and the judgment therein enforced in all respects in the same manner as upon issues joined and judgments rendered in actions of *assumpsit* in said Court. 45