

sum secured  
by such lien.

such person against such contractor, or the amount which, by their written statement to be signed by them as aforesaid, shall be specified to be due to such person from such contractor, shall be paid by such owner or his said agent to such person, and when so paid shall be deemed 5 to be a payment of such amount by the said owner on the contract made with such owner or his said agent; and if such owner or his said agent shall refuse or neglect to pay such sum after being served with such statement or a transcript of the docket of such judgment for ten days 10 after being requested so to do, the Clerk of the County, on having fyled with him a duplicate copy of such statement, with the affidavit of such person that it is a true copy thereof, and of the delivery thereof to such owner as required by this section, or on having fyled with him a 15 transcript of the docket of such judgment and an affidavit of a demand of the said owner or his said agent ten days prior thereto, of the amount thereof, and of his refusal or neglect to pay, may issue an execution in favor of such person against such owner in form as upon a judg- 20 ment recovered in *assumpsit* on the day of the attaching of such lien, reciting that such execution is issued pursuant to the tenth section of this Act; which execution shall be subject in all respects to the jurisdiction and control of the Division Court of the said County to make such 25 order in respect to the same as shall be just between the parties according to their rights as defined and regulated by this Act; for such execution the Clerk shall be entitled to a fee of *five shillings*, which shall be collected under such execution, in addition to the amount therein directed 30 to be collected thereby, and the fee prescribed by law for making such collection.

Execution.

Fee to Clerk.

Contractor,  
&c. may  
renounce his  
lien.

11. Any person who shall furnish materials or perform labor in the erecting, altering or repairing any house or other building or appurtenances, may certify to the owner 35 or his agent, at any time previous to, or during the progress of the work, that such person will discharge the owner or his agent from any liability as to liens: and such certificate, executed by himself in presence of one subscribing witness, shall be conclusive upon such person 40 in barring him from the benefit of a lien by virtue of this Act.