

Sec. 8. The liens herein provided for may be enforced by a action in any court of competent jurisdiction, at any time within twelve months after the completion of the original contract or the suspension of the work thereunder for a period of thirty days, or setting out in the complaint the particulars of the demand with a description of the premises to be charged with the lien; and at the time of filing the complaint and issuing the summons, the plaintiff shall cause a notice to be published at least once a week for three successive weeks in one newspaper of general circulation published in the judicial district, notifying all persons holding or claiming liens under the provisions of this act, on said premises, to be and appear before said court on a day specified therein and during a regular term thereof, and to exhibit then and there the proof of said liens. On the day appointed, all persons claiming liens against the premises shall appear before said court and exhibit the same, whereupon the court shall proceed to hear and determine the claims in a summary way or may refer the same to a referee to ascertain and report thereon, and shall enter judgment according to the rights of the parties, and all liens not so exhibited shall be deemed to be waived against the property. In every case in which different liens are claimed against the same property, the rank of each lien or class of liens, as between the contractor and sub-contractor, shall be declared and ordered to be satisfied in the decree, in the following order, viz.:

First. Sub-contractors who were laborers or mechanics working by the day or piece, but without furnishing material therefor.

Second. All other sub-contractors and all material men.

Third. The original contractors. And the proceeds of the sale in all actions for the satisfaction of liens against the same, improvements or structures, shall be paid in the order above designated, and pro rata to the persons claiming in each class where the sum realized is insufficient to pay the persons of one class in full.

Sec. 9. The court shall cause the property to be sold in satisfaction of the liens and costs as in the case of foreclosure of mortgages, subject to the right of redemption of the owner and creditors as provided by law; and if the proceeds of sale, after the payment of costs, shall not be sufficient to satisfy the whole amount of liens included in the decree, then said proceeds shall be apportioned according to the rights of the several parties, and to the several classes in the order as hereinbefore specified. In case of any excess of proceeds of sale, the remainder shall be paid over to the owner; and every person whose claim is not satisfied as herein provided may have judgment docketed for the balance unpaid, and execution therefor against the party personally liable. As between the owner and the contractor, the court shall apportion the costs according to the right of the case, but in all instances sub-contractors shall have their costs, including the costs of preparing and recording statement of claim, awarded to them, for each claimant exhibiting a lien.

Sec. 10. Whenever material has been furnished for use in the construction,

alteration or repair of any building, work or other improvement mentioned in the first section of the act, such material shall not be subject to attachment, execution or other legal process to enforce any debt due by the purchaser of such materials, other than a debt due for the purchase money thereof, so long as in good faith the same are about to be applied to the construction, alteration or repair of such building or improvement. Nothing contained herein shall be construed to impair or effect the right of any person to whom a debt may be due for work done or material furnished to maintain a personal action to recover the same.

Sec. 11. All liens under this act shall be assignable as other choses in action and the assignee may commence and prosecute actions thereon in his own name, in the manner herein provided.

Sec. 12. All foundrymen and boiler-makers, and all persons performing labor or furnishing machinery or boilers, or castings, or other material for the construction or repairing or carrying on any mill, manufactory or hoisting works, shall have a lien on such mill, manufactory or hoisting works for such work or labor done on such machinery, or boiler or castings or other material furnished by such respectively. And all the provisions of this act respecting the mode of filing, recording, securing and enforcing the liens of contractors and others, and the word superstructure, wherever it occurs in this act, shall be applicable to the provisions of this section.

Sec. 13. The claimant of any lien filed as provided herein, on payment of the amount thereof, together with the costs incurred and the fees for cancellation shall, at the request of any person interested in the property charged therewith, enter or cause said lien to be canceled within ten days from the request, and upon failure to so cancel said lien within the time aforesaid, shall forfeit and pay to the person making the request the sum of \$20 per day until the same shall be canceled, to be recovered in the same manner as other debts.

Sec. 14. Any person who shall knowingly caused to be filed for record a claim for lien against any property whatever, which shall contain a greater demand than the sum that is due him, with the intent to cloud the title or to exact from the owner or person liable, by means of such excessive claim of lien, more than is due him, or to procure any advantage or benefit whatever, shall be deemed guilty of a misdemeanor.

Sec. 15. The provisions of the act shall not apply to any public structure or improvement.

Sec. 16. An act entitled "An act to secure liens to mechanics and others, and repeal all other acts and laws in relation thereto," approved March 12, 1890, is hereby repealed. Provided, That the repeal of said act shall not affect any right or remedy, nor abate any suit or action or proceedings existing, instituted or pending under the law hereby repealed.

This act shall take effect upon its approval. [Approved March 8, 1894.]

[The foregoing law has been published in pamphlet form by Morrison, Merrill & Co., 241 north, Third West street, who will furnish a copy free to anyone who will apply.]

CARBON COUNTY POLITICS.

E. W. McIntyre, chairman, and A. E. Gibson, secretary, of the Republican central committee of Carbon county, have issued a call for a convention to be held at Price on the 24th inst., on Tuesday, at 2 o'clock p. m. for the purpose of nominating candidates for the following county officers: Clerk, recorder, treasurer, prosecuting attorney, assessor, collector, sheriff, surveyor, coroner, three selectmen, and for the election of a county central committee for the ensuing year.

The convention will consist of 21 delegates. The apportionment between the several precincts will be one delegate for every ten votes cast, or a fraction thereof, for Hon. Orange Seeley at the last election. The several precincts are entitled to the following number of delegates: Castle Gate, 4; Minnie Maud, 1; Price, 5; Spring Glen, 3; Scofield, 4; Winter Quarters, 2; Wellington, 2.

The several precincts will hold primaries for the election of delegates on Saturday evening, April 21st, at 8 o'clock.

The Democrats of Carbon county will hold their first convention for the purpose of electing a county central committee, and for nominating candidates for the county and precinct offices to be filled at the special election to be held on Tuesday, May 1st.

Delegates will be divided among the various precincts as follows: Winter Quarters, five delegates; Scofield, three; Castle Gate, three; Helper, one; Spring Glen, two; Price, four; Wellington, five; Minnie Maud, two.

There being no Democratic organization in the county, the call is issued by C. C. Richards and E. A. Smith, chairman and secretary respectively of the Territorial Democratic committee. On Thursday, April 19th, at eight o'clock a. m., meetings will be held at the different precincts to elect precinct campaign committees and select delegates to attend the county convention herein referred to. The call was made Saturday afternoon. Mr. Richards and a number of party colleagues will go down to Price to attend the convention and transact political business.

DR. BREDEMEYER.

The funeral of Dr. Wm. Bredemeyer, who for several years and up to about three years ago was a well known resident of Salt Lake, took place Friday afternoon under the direction of the Knights of Pythias, from J. W. Taylor's undertaking establishment. Dr. Bredemeyer died at Tacoma, Washington, April 4, of heart failure. He was a man of peculiar and excitable temperament, an instance of which was shown in almost the last proceedings which brought his name prominently before the Salt Lake public. In circumstances associated with divorce proceedings on the part of his wife, who was granted a decree of separation, Dr. Bredemeyer was consigned to prison. While there he remained for eighteen days from partaking of food, in a vain attempt to bring Mrs. Bredemeyer to his terms. While he lived here he was often visited by German notables.