

SENATE BILL No. 1322

September 19, 2000, Introduced by Senators MC MANUS, ROGERS and MC COTTER and referred to the Committee on Farming, Agribusiness and Food Systems.

A bill to amend 1897 PA 160, entitled

"An act to establish a lien upon horses and other animals for the cost of shoeing the same,"

by amending sections 2 and 13 (MCL 570.352 and 570.363).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. Any person ~~desiring~~ WHO DESIRES to secure the
2 benefit of this act shall, within ~~60~~ 90 days after the shoeing
3 of ~~such~~ A horse, mule, ox, or other animal, or ~~in case~~ IF he
4 ~~shall have~~ OR SHE HAS shod ~~such~~ THE animal more than once
5 within that time, then within ~~60~~ 90 days after the date of the
6 last shoeing, file with the register of deeds of the county in
7 which ~~such~~ THE animal is ~~,~~ LOCATED a statement made under
8 oath by the claimant or someone in his or her behalf and a notice
9 of ~~his~~ intention to claim a lien upon ~~such~~ THE animal for
10 ~~his~~ charges for THE shoeing. ~~the same.~~

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1 Sec. 13. When the ~~said~~ lien ~~shall be duly~~ UNDER THIS
 2 ACT IS perfected, ~~as above provided,~~ the horse, mule, ox, or
 3 other animal ~~, as above provided,~~ shall be disposed of to sat-
 4 isfy ~~said~~ THE lien. ~~as follows:~~ The person obtaining ~~said~~
 5 THE lien shall advertise ~~said~~ THE horse, mule, ox, or other
 6 animal for sale ~~,~~ in the ~~city, village or township as the case~~
 7 ~~may be,~~ COUNTY where the claim of lien is filed ~~,~~ in a newspa-
 8 per ~~published within the city, village or township, as the case~~
 9 ~~may be, if a newspaper be published within the city, village or~~
 10 ~~township, and if not, in a newspaper published within the county~~
 11 IN WHICH LEGAL NOTICES ARE REGULARLY PUBLISHED IN THE COUNTY
 12 WHERE THE LIEN IS FILED once a week for 3 consecutive weeks. ~~,~~
 13 ~~giving in said~~ THE advertisement SHALL CONTAIN a description of
 14 ~~said~~ THE animal and ~~cause of~~ THE REASON FOR THE sale. ~~of~~
 15 ~~same and at~~ AT the expiration of ~~said time, said~~ THE 3-WEEK
 16 PERIOD, THE horse, mule, ox, or other animal shall be sold to the
 17 highest bidder, and ~~the~~ ANY surplus, ~~if any,~~ after the pay-
 18 ment of ~~said~~ THE lien, ~~and~~ COURT costs, ~~of court,~~ and
 19 interest on ~~said~~ THE claim ~~,~~ to the claimant, shall be
 20 returned to the owner of ~~said~~ THE horse, mule, ox, or other
 21 animal by the sheriff ~~or constable, as the case may be,~~ con-
 22 ducting ~~said~~ THE sale.