DAMAGE BY BEASTS

Act 109 of 1847

AN ACT to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence.

History: 1847, Act 109, Imd. Eff. Mar. 17, 1847

Be it enacted by the Senate and House of Representatives of the State of Michigan:

433.151 Damages upon lands by beasts; barred unless enclosed.

Sec. 1.

No person shall be entitled to recover any sum of money, in any action at law, for damages done upon lands by any beast or beasts, unless the partition fences by which such lands are wholly or in part enclosed, and belonging to such person, or by him to be kept in repair, shall be of the same height and description as is required by the provisions of section 1, chapter 18, of the revised statutes of 1846, being section 605 of the Compiled Laws. No person shall be entitled to recovery in any action for such damages if the same was caused by any beast which gained access to such lands by reason of the failure of such person to erect or maintain that portion of the fence assigned to him therefor pursuant to the provisions of section 5 of chapter 18 of the revised statutes of 1846, being section 1068 of the Compiled Laws of 1929.

History: 1847, Act 109, Imd. Eff. Mar. 17, 1847 ;-- CL 1857, 628 ;-- Am. 1861, Act 179, Imd. Eff. Mar. 15, 1861 ;-- CL 1871, 791 ;-- How. 817 ;-- CL 1897, 2436 ;-- CL 1915, 2227 ;-- CL 1929, 1087 ;-- Am. 1941, Act 289, Eff. Jan. 10, 1942 ;-- CL 1948, 433.151

Compiler's Notes: For provisions of sections 1 and 5 of chapter 18 of the Revised Statutes of 1846, referred to in this section, see MCL 43.1 and 43.5.

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