

LIEN ON WATERCRAFT (EXCERPT)
Act 59 of 1864 (Ex. Sess.)

570.429 Judgment for complainant; in rem.

Sec. 29.

In case the water-craft has not been discharged from custody, the judgment or decree shall be in form against the water-craft, with an additional order that the same, with the appurtenances, be sold at public vendue by the sheriff, after notice of the time and place of said sale, published as herein required in cases of seizure, at least 10 days before such sale. Provided, That, in case of complaint filed prior to sale, but not in judgment at the time thereof, the judgment or decree shall be the same in form with a clause for payment out of the proceeds of sale; and in case of claims filed against surplus proceeds, the judgment, if in favor of claimant, shall in substance, affirm the claim to be sustained and direct payment thereof from the surplus proceeds.

History: 1864, Ex. Sess., Act 59, Eff. May 7, 1864 ;-- Am. 1867, Act 82, Eff. June 27, 1867 ;-- CL 1871, 6675 ;-- How. 8263 ;-- CL 1897, 10816 ;-- CL 1915, 14919 ;-- CL 1929, 13165 ;-- CL 1948, 570.429