

HORSESHOER'S LIEN (EXCERPT)
Act 160 of 1897

570.362 Suits or attachment; findings; form.

Sec. 12. In all suits or attachments prosecuted under the provisions of this act, the court or jury who shall try the same or make an assessment of damages therein, shall, in addition to finding the sum due the plaintiff, also find that the same is due for the cost of shoeing the horse, mule, ox, or other animal described in plaintiff's declaration and is a lien upon the same: Provided, however, That if the court or jury shall find that the amount due the plaintiff is not a lien upon the property described in the plaintiff's declaration, the plaintiff shall not be nonsuited thereby, but shall be entitled to judgment as in other civil actions; but in such case the plaintiff shall not recover or tax any costs other than those allowed and taxable in such case; and in those cases where the amount due is found to be a lien upon the property mentioned in plaintiff's declaration, the finding or verdict may be in the following form: (The court or jurors, as the case may be) say that there is due the plaintiff the sum of dollars from the defendant, and that the same is due for his or her reasonable charges for shoeing the animal mentioned in plaintiff's declaration (giving a description sufficient for identification of the animal), and that the plaintiff has a lien upon the animal for the amount.

History: 1897, Act 160, Eff. Aug. 30, 1897;—CL 1897, 10782;—CL 1915, 14870;—CL 1929, 8788;—CL 1948, 570.362;—Am. 1991, Act 159, Imd. Eff. Dec. 9, 1991.