

Revised Statutes of 1846 (EXCERPT)
OF CERTAIN LIENS ON PERSONAL PROPERTY.

570.187 Lien of mechanic; enforcement; sale; form of notice, proceeds.

Sec. 37. In either of the cases mentioned in the 2 preceding sections, if the owner of the property, materials, or stock so delivered, or the person entitled thereto shall not, when such article shall have been constructed, completed, altered, fitted, or repaired, or the time having expired for the keeping such stock, and the same being ready to be delivered to such owner or other persons, and the charges thereon shall be due and payable, pay to such mechanic, artisan, tradesman, or other person the amount of such charges, the person having such lien may enforce the same as hereinafter provided: Provided, however, Any mechanic, artisan or tradesman who shall make, clean, alter or repair any article of personal property at the request of the owner or legal possessor of property shall have a lien on such property so made, cleaned, altered or repaired for his just and reasonable charges for work done, and material furnished, and may hold and retain possession of the same until such just and reasonable charges shall be paid, and in default of payment may foreclose said lien, as hereinafter provided. When any property upon which a mechanic, artisan, tradesman, or other person shall have a lien for unpaid charges under this act shall remain in possession of a mechanic, artisan, tradesman or other person without payment and without proceeding at law in reference thereto, for a period of 9 months, such mechanic, artisan, tradesman, or other person may sell such property at public sale upon like notice and proceeding as in the case of a constable sale on execution. Thirty days before the date of said sale, such mechanic, artisan, tradesman or other person shall give notice of the time and place of said sale and the amount claimed, by depositing the same in the postoffice with postage prepaid and registered and addressed to the last known address of the said owner or person who delivered said property to such mechanic, artisan, tradesman, or other person and which notice may be in substance as follows:

....., Michigan.

....., 19

John Smith,

..... Michigan.

You are hereby notified that I hold the property hereinafter described and claim a lien upon the same for work (and materials) and expenses in connection therewith, amounting to dollars, and that I shall offer said property for sale at my place of business (in the township of), at number street, in the city of, county of, State of Michigan, on the day of, at o'clock in the noon, to satisfy the amount of my said claim and expenses.

Said property is described substantially as follows:

Signed,

.....

If such owner or other person in his behalf shall not pay the amount of such claim and charges before the advertised day of sale, said property shall thereupon be sold pursuant to said notice of sale, to the highest bidder, and said mechanic, artisan, tradesman or other person may become the purchaser. The proceeds of such sale shall be applied to the payment of said lien, costs and expenses, and the balance, if any, shall be paid to the city or township clerk of the city or township where such sale takes place, for the benefit of such owner, and notice of such deposit shall be sent to him by registered mail.

History: R.S. 1846, Ch. 126;—CL 1857, 5104;—CL 1871, 6825;—Am. 1873, Act 83, Eff. July 31, 1873;—How. 8401;—CL 1897, 10748;—CL 1915, 14833;—Am. 1917, Act 331, Eff. Aug. 10, 1917;—CL 1929, 13188;—CL 1948, 570.187.