

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

570.447 Proceedings and practice; depositions, writs, costs.

Sec. 47. The proceedings and practice under this act shall be the same as in personal actions at law except as herein otherwise provided so far as the same may be applicable, and the depositions of witnesses may be taken for the same causes, in the same manner and with the like effect as in personal actions. Forms of writ under this act shall be devised by the court in analogy to those in use in such actions and in case the claimant of such water-craft or any person interested therein defending such suit shall prevail either upon an issue of law or of fact, the court shall render judgment in his favor for all costs incurred in such said suit and for all damages which he may have sustained by reason of the seizure of such water-craft to be assessed by the court or a jury the same as in personal actions, and the court may render judgment against the complainant and his surety for costs, and in favor of the party interested defending such claim. And execution may issue for the collection of such damages and costs, the same as in personal actions.

History: 1864, Ex. Sess., Act 59, Eff. May 7, 1864;—Am. 1865, Act 323, Eff. June 22, 1865;—CL 1871, 6692;—How. 8281;—CL 1897, 10834;—CL 1915, 14937;—CL 1929, 13183;—CL 1948, 570.447.