

426.310 Livestock -- Execution on -- Quashed or stayed -- Duty and cost of caring for.

- (1) If an execution is levied on livestock and no forthcoming or replevin bond is immediately given, the officer shall provide sufficient sustenance for the livestock levied on until it is legally disposed of. The officer shall make a fair estimate of his expenses and collect them, subject to correction by the court. Upon the return of the execution, if either party desires, the court shall fix what the officer shall be allowed for his expenses, which shall be considered a part of the taxed costs in the case and collected accordingly.
- (2) If an execution levied on livestock is quashed, enjoined, superseded or suspended, the officer levying it may have his expenses allowed, and issue his fee-bill for and collect his expenses from the plaintiff in the execution. The expenses of the officer, except when the execution is quashed, shall form a part of the costs and be collected from the defendant if the stay or suspension be removed, or, if removed in part only, then in proportion to such part.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1666.