

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.2645 Liability of officer if sureties insufficient; recovery of penalty by state or county.

Sec. 2645. (1) If on the return of an execution, duly issued upon any judgment obtained on a bond, it appears that the sureties taken therein were insufficient at the time of taking, and that the officer receiving them had reasonable ground to doubt their sufficiency, or failed to comply with the rules of the supreme court in receiving the bond, the officer is liable to the party aggrieved for the amount of the judgment recovered by him, and for his costs and expenses in such suit.

(2) If such suit was brought by the attorney general or a prosecuting attorney, an action may in like manner be brought by them, in the name of the people of this state, for the amount of the judgment so recovered. The penalty recovered shall be paid into the treasury of the county in which the bond was taken, to the credit of the general fund.

History: 1961, Act 236, Eff. Jan. 1, 1963.