

## CHAPTER 50. COUNTY CLERKS REVISED STATUTES OF 1846

### CHAPTER 14

#### Chapter 14. Of County Officers.

#### COUNTY CLERK.

##### **50.61 County clerk; bond; penal sum; approval.**

Sec. 61. As determined by the county board of commissioners, the county clerk either shall be covered by a blanket bond or shall give a bond to the people of the state, in the penal sum of \$2,000.00, to be approved by the circuit judge, for the faithful discharge of the duties of the county clerk's office.

**History:** R.S. 1846, Ch. 14;—Am. 1853, Act 72, Eff. May 16, 1853;—CL 1857, 402;—CL 1871, 538;—How. 571;—CL 1897, 2570;—CL 1915, 2431;—CL 1929, 1312;—CL 1948, 50.61;—Am. 1964, Act 255, Imd. Eff. May 28, 1964;—Am. 1978, Act 635, Imd. Eff. Jan. 8, 1979.

**Compiler's note:** This section as originally enacted was numbered section 62.

##### **50.62 County clerk; bond; condition.**

Sec. 62. The condition of an individual bond required under section 61 of this chapter shall be in substance as follows: "..... has been elected to the office of clerk of the county of ..... at the general election held in the county or at a special election held in the county, on the ..... day of ..... . ..... shall be required to faithfully, truly, and impartially enter and record all orders, decrees, judgments, and proceedings of the courts he or she shall officiate as clerk, and faithfully and impartially perform all other duties of the office, and shall pay over all money that may come into his or her hands as the clerk, and shall deliver over to his or her successor in office all the books, records, papers, seals, and other things belonging to the office."

**History:** R.S. 1846, Ch. 14;—CL 1857, 403;—CL 1871, 539;—How. 572;—CL 1897, 2571;—CL 1915, 2432;—CL 1929, 1313;—CL 1948, 50.62;—Am. 1978, Act 635, Imd. Eff. Jan. 8, 1979.

**Compiler's note:** This section as originally enacted was numbered section 63.

##### **50.63 County clerk; deputies, appointment.**

Sec. 63. Each county clerk shall appoint 1 or more deputies, to be approved by the circuit judge, 1 of whom shall be designated in the appointment as the successor of such clerk in case of vacancy from any cause, and may revoke such appointment at his pleasure, which appointment and revocation shall be in writing, under his hand, and filed in the office of the county treasurer, and the deputy or deputies, may perform the duties of such clerks.

**History:** R.S. 1846, Ch. 14;—Am. 1850, Act 65, Imd. Eff. Mar. 5, 1850;—CL 1857, 404;—Am. 1861, Act 146, Eff. June 15, 1861;—Am. 1871, Act 69, Imd. Eff. Mar. 31, 1871;—CL 1871, 540;—Am. 1875, Act 109, Eff. Aug. 3, 1875;—How. 573;—CL 1897, 2572;—CL 1915, 2433;—CL 1929, 1314;—CL 1948, 50.63.

**Compiler's note:** This section as originally enacted was numbered section 64.

##### **50.64 County clerk; responsibility for deputies, duties.**

Sec. 64. That the county clerk and his sureties shall be responsible for the acts of his deputy or deputies, and in case of the death, resignation or removal of the clerk, or in any case of a vacancy by any other means in the said office of clerk, the deputy or deputies shall severally perform all the duties of such clerk until such vacancy shall be filled.

**History:** R.S. 1846, Ch. 14;—CL 1857, 405;—Am. 1861, Act 146, Eff. June 15, 1861;—CL 1871, 541;—How. 574;—CL 1897, 2573;—CL 1915, 2434;—CL 1929, 1315;—CL 1948, 50.64.

**Compiler's note:** This section in Act 146 of 1861 in the body of the act was numbered section 2, but the title referred to it as section 64. As originally enacted this section was numbered section 65.

##### **50.65 County clerk; necessary supplies, procurement, expense.**

Sec. 65. The books necessary to be kept and used in the clerks office, and, also, printed calendars for each regular term of court, shall be procured by the clerk, under the direction of the judge of the circuit court, at the expense of the county; and the board of supervisors of the county shall audit and allow the account for such books and calendars, on the certificate of said judge.

**History:** R.S. 1846, Ch. 14;—CL 1857, 406;—Am. 1871, Act 15, Imd. Eff. Feb. 21, 1871;—CL 1871, 542;—How. 575;—CL 1897, 2574;—CL 1915, 2435;—CL 1929, 1316;—CL 1948, 50.65.

**Compiler's note:** This section as originally enacted was numbered section 66.

**50.66 County clerk; transmitting names and postoffice addresses of township and city clerks and members of county board of commissioners to secretary of state; notifying secretary of state of person elected or appointed to fill vacancy.**

Sec. 66. (1) Annually, the clerk of each county, immediately after receiving from the township and city clerks of his or her county the names and postoffice addresses of the township and city officers, shall transmit to the secretary of state the names and postoffice addresses of the several township and city clerks, with the name of the township or city for which they are clerks set opposite their respective names. Whenever the county clerk receives information of a vacancy due to death, removal, or resignation of any township or city clerk in the county, the county clerk shall immediately notify the secretary of state of the name and post office address of the person elected or appointed to fill the vacancy, along with the name of township or city.

(2) Annually, the clerk of the county shall transmit to the secretary of state the names and post office addresses of the members of the county board of commissioners. Whenever the county clerk receives information of a vacancy in the office of such a commissioner in the county, the county clerk shall immediately notify the secretary of state of the name and post office address of the person elected or appointed to fill the vacancy.

**History:** R.S. 1846, Ch. 14;—CL 1857, 407;—CL 1871, 543;—Am. 1873, Act 50, Imd. Eff. Mar. 27, 1873;—How. 576;—CL 1897, 2575;—CL 1915, 2436;—CL 1929, 1317;—CL 1948, 50.66;—Am. 1983, Act 41, Imd. Eff. May 12, 1983.

**Compiler's note:** This section as originally enacted was numbered section 67.

**50.67 County clerk; office; compensation; fees.**

Sec. 67. (1) The county clerk shall keep his or her office at the seat of justice for the county, and shall receive for all services rendered the county in criminal cases and as clerk of the circuit court, and for his or her services as clerk of the county board of commissioners, and as clerk of the board of county and district canvassers, the salary as the county board of commissioners fixes.

(2) Notwithstanding subsection (1), for a county which has a county officers compensation commission, the compensation of the county clerk of that county shall be determined by that commission.

(3) For his or her services in civil cases and other matters the fees and compensation shall be provided by law.

**History:** R.S. 1846, Ch. 14;—CL 1857, 408;—CL 1871, 544;—Am. 1881, Act 262, Eff. Sept. 10, 1881;—How. 577;—CL 1897, 2576;—CL 1915, 2437;—CL 1929, 1318;—CL 1948, 50.67;—Am. 1978, Act 489, Imd. Eff. Dec. 1, 1978.

**Compiler's note:** This section as originally enacted was numbered section 68.

**RECORDING OF BONDS AND SECURITIES**  
**Act 147 of 1901**

AN ACT to provide for the recording of bonds and other securities by the county clerk in civil cases.

**History:** 1901, Act 147, Eff. Sept. 5, 1901.

*The People of the State of Michigan enact:*

**50.101 County clerk; recording of bonds in civil cases.**

Sec. 1. That it shall be the duty of the county clerk in all cases where bonds or other obligations are filed in any civil case, either on the law or chancery side of the court, to record such bond or other obligation in a book in the office of such clerk to be kept for such purpose.

**History:** 1901, Act 147, Eff. Sept. 5, 1901;—CL 1915, 2438;—CL 1929, 1319;—CL 1948, 50.101.

**50.102 County clerk; recording of bonds, fees.**

Sec. 2. The clerk shall receive the same fees, per folio, for recording such bonds or other obligations as provided by law for recording other papers.

**History:** 1901, Act 147, Eff. Sept. 5, 1901;—CL 1915, 2439;—CL 1929, 1320;—CL 1948, 50.102.

**50.103 Record of bonds or certified copy admissible as evidence.**

Sec. 3. The original record of such bond or other obligation so entered by the clerk, or a certified copy thereof, shall be evidence in all courts the same as the original bond would be if produced: Provided, That this act shall not be in force in any county of this state unless the board of supervisors in their respective county shall deem the recording of bonds necessary, as provided for in section 1 of this act, and that the said board of supervisors shall so declare by resolution.

**History:** 1901, Act 147, Eff. Sept. 5, 1901;—CL 1915, 2440;—CL 1929, 1321;—CL 1948, 50.103.

**DEPUTIES AND ASSISTANTS**  
**Act 18 of 1921**

AN ACT to regulate the number and the salaries of deputy circuit court clerks, counter clerks and other clerks and employes of the county clerks in the several counties of the state, and to repeal all acts or parts of acts, whether general, local or special, contravening the provisions of this act.

**History:** 1921, Act 18, Eff. Aug. 18, 1921.

*The People of the State of Michigan enact:*

**50.131 County clerk; deputies and assistants, appointment, number; compensation, determination, increase.**

Sec. 1. In counties having a population of more than 500,000, the county clerk shall appoint a chief deputy circuit court clerk, 1 deputy circuit court clerk for each acting circuit judge in said county, 4 counter clerks and such number of deputy county clerks, and other clerks and employes as circuit court clerk and chief deputy counter clerk shall be 3,000 dollars per year; of the deputy circuit court clerks and counter clerks, shall be 2,500 dollars per year, and such salaries shall be payable in the same manner and at the same time that other county employes are paid, and shall be in lieu of all fees or other compensation. The number and the salaries of the other deputies, clerks, and employes shall be fixed by resolution of the board of supervisors. The board of supervisors in said counties, may, by resolution, provide for increase in said salaries, when, in their judgment, deemed necessary.

**History:** 1921, Act 18, Eff. Aug. 18, 1921;—CL 1929, 1322;—CL 1948, 50.131.