

Revised Statutes of 1846 (EXCERPT)

R.S. of 1846

Constables.

41.80 Constables; bond required.

Sec. 80. Every person elected or appointed to the office of constable, before taking office and within the time prescribed by law for filing the official oath, shall execute, with sufficient sureties to be approved by the township board, an instrument in writing by which the constable and his or her sureties jointly and severally agree to pay to each person who may be entitled money that the constable becomes liable to pay on account of the neglect or default of the constable in the service or return of process that may be delivered to him or her for service or collection or on account of misfeasance of the constable in the discharge of, or failure of the constable to faithfully perform, the duties of his or her office.

History: R.S. 1846, Ch. 16;—Am. 1855, Act 51, Eff. May 15, 1855;—CL 1857, 572;—CL 1871, 723;—Am. 1881, Act 166, Eff. Sept. 10, 1881;—How. 762;—CL 1897, 2364;—CL 1915, 2144;—CL 1929, 1020;—CL 1948, 41.80;—Am. 1989, Act 77, Imd. Eff. June 20, 1989.

41.81 Constables; bond; filing; certified copy as evidence of contents and execution; actions against constables or sureties upon bond.

Sec. 81. The bond required in section 80 shall be filed in the office of the township clerk, and a copy of the bond certified by the township clerk is presumptive evidence of the contents and execution of the bond. Actions against a constable or his or her sureties upon such a bond shall be commenced within 6 years after the expiration of the year in which commenced the term of office during which the neglect, default, misfeasance, or failure occurred.

History: R.S. 1846, Ch. 16;—CL 1857, 573;—CL 1871, 724;—How. 763;—CL 1897, 2365;—CL 1915, 2145;—CL 1929, 1021;—CL 1948, 41.81;—Am. 1989, Act 77, Imd. Eff. June 20, 1989.

41.82 Constables; service of warrants, notices, and process; duties; ordinance restricting or limiting powers; compliance with minimum employment standards; cost of compliance; appointment as district court officer.

Sec. 82. (1) Constables shall serve all warrants, notices, and process lawfully directed to them by the township board, or the township clerk, or another officer, and shall perform other duties as are required of them by law. A township board, by ordinance, may restrict or limit the powers of a township constable prescribed by state law. If the township requires the constable to perform both statutory criminal and civil duties, a person elected or appointed to the office of township constable shall comply with the minimum employment standards established by the law enforcement officer training council pursuant to section 9 of Act No. 203 of the Public Acts of 1965, as amended, being section 28.609 of the Michigan Compiled Laws. The cost of complying with these standards shall be borne by the township.

(2) A township constable may be appointed as a district court officer by the district court and may perform the duties permitted pursuant to chapter 83 of Act No. 236 of the Public Acts of 1961, as amended, being sections 600.8301 to 600.8395 of the Michigan Compiled Laws. The employment standards of subsection (1) shall not apply when a township constable is appointed as a district court officer.

History: R.S. 1846, Ch. 16;—CL 1857, 574;—CL 1871, 725;—How. 764;—CL 1897, 2366;—CL 1915, 2146;—CL 1929, 1022;—CL 1948, 41.82;—Am. 1976, Act 426, Imd. Eff. Jan. 11, 1977.

41.83 Constables; service of writ, process, or order.

Sec. 83. A constable may serve any writ, process, or order lawfully directed to him or her in any township in his or her county.

History: R.S. 1846, Ch. 16;—CL 1857, 575;—CL 1871, 726;—How. 765;—CL 1897, 2367;—CL 1915, 2147;—CL 1929, 1023;—CL 1948, 41.83;—Am. 1989, Act 77, Imd. Eff. June 20, 1989.

41.83a Constable or police officers; right to pursue, arrest, and detain person outside of township limits.

Sec. 83a. If a person has committed a civil infraction violation under the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws, within a township, or has committed or is suspected of having committed any crime within a township, or has escaped from any prison or jail in that township, the constable or police officers of that township shall have the same right to pursue, arrest, and detain the person outside of the township limits as does the sheriff of the county.

History: Add. 1983, Act 8, Imd. Eff. Mar. 18, 1983.

41.83b Police officer or constable; authority to execute bench warrant.

Sec. 83b. A police officer of a township or, if authorized by the township board, a constable of a township has the same authority within the township as a deputy sheriff to execute a bench warrant for arrest issued by a court of record or a municipal court.

History: Add. 1992, Act 44, Imd. Eff. May 12, 1992.

41.84 Constables; attendance at sessions of circuit courts; notice; payment.

Sec. 84. Constables shall attend the sessions of the circuit courts for their respective counties when notified for that purpose by the sheriff and paid by their respective counties.

History: R.S. 1846, Ch. 16;—CL 1857, 576;—CL 1871, 727;—How. 766;—CL 1897, 2368;—CL 1915, 2148;—CL 1929, 1024;—CL 1948, 41.84;—Am. 1989, Act 77, Imd. Eff. June 20, 1989.