

**Revised Statutes of 1846 (EXCERPT)
OF SHERIFFS.**

51.72 Undersheriff; executing office of sheriff; effect of default or misfeasance.

Sec. 72.

If a vacancy occurs in the office of sheriff of a county, the undersheriff of the county shall in all things execute the office of sheriff, until a sheriff is elected and qualified. A default or misfeasance in office of an undersheriff in that capacity, shall be considered to be a breach of the condition of the bond given on behalf of or by the sheriff who appointed the undersheriff, and also a breach of the condition of the bond executed on behalf of or by the undersheriff to the sheriff by whom the undersheriff was appointed.

History: R.S. 1846, Ch. 14 ;-- CL 1857, 413 ;-- CL 1871, 554 ;-- How. 582 ;-- CL 1897, 2581 ;-- CL 1915, 2445 ;-- CL 1929, 1327 ;-- CL 1948, 51.72 ;-- Am. 1978, Act 635, Imd. Eff. Jan. 8, 1979

Compiler's Notes: This section as originally enacted was numbered section 73.