

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

600.4505 Usurpation of office; determination; judgment for relator; proceedings.

Sec. 4505. (1) In actions brought against persons for usurpation of office, the judgment may determine the right of the defendant to hold the office. If a party plaintiff alleges that he is entitled to the office, the court may decide which of the parties is entitled to hold the office.

(2) If judgment is rendered in favor of a party who is averred to be entitled to the office, he is entitled, after taking the oath of office, and executing any official bond which is required by law, to take the office. Such party shall be given all the books and papers in the custody of the defendant, or within his power, belonging to the office.

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