

**CLAIMS AGAINST COUNTIES (EXCERPT)**  
**Act 58 of 1909**

**46.74 Appeal; county clerk, entry of action; pleadings; procedure.**

Sec. 4.

The county clerk shall, as soon as the said return is filed in his office, enter in the circuit court record an action in which the claimant shall be plaintiff and the particular county defendant. The claimant shall not be permitted to file any amended or different claim from that presented to the board of supervisors or board of county auditors. The statement or return of the proceedings before the auditing board, prepared and filed in the office of the county clerk, shall be equivalent to a declaration in such action, and the defendant may file its plea thereto within 20 days after such appeal is taken. Every appeal thus taken to the circuit court shall be docketed among the other causes pending therein, and shall be heard, tried and determined as an original cause, and the practice in the circuit court shall be followed in all such matters, except where the contrary is herein expressed.

**History:** 1909, Act 58, Eff. Sept. 1, 1909 ;-- CL 1915, 2302 ;-- CL 1929, 1189 ;-- CL 1948, 46.74