

**Revised Statutes of 1846 (EXCERPT)**  
**R.S. of 1846**  
**COUNTY BUILDINGS.**

**45.16 County courthouse, jail, offices, and other buildings; location, construction, maintenance, and expense thereof; examination of plan for jail.**

Sec. 16.

Each organized county shall, at its own cost and expense, provide at the county seat thereof a suitable courthouse, and a suitable and sufficient jail and fireproof offices and all other necessary public buildings, and keep the same in good repair. However, and notwithstanding the provisions of section 11 of Act No. 156 of the Public Acts of 1851, as amended, being section 46.11 of the Compiled Laws of 1948, a jail may be located anywhere in the county. Before the plan of any jail which has been duly authorized to be built shall be determined or accepted, or contracted for, the plan shall be submitted to the department of corrections for its examination and opinion, and such department shall carefully examine and give the benefit of its study and experience in such matter to the counties submitting such plans and report its opinion to the county clerk of the county so submitting plans. No contract for the erection of any county jail shall be valid or binding, nor shall any money be paid out of the county treasury for the construction of a jail until such opinion has been filed with the county clerk of the county submitting such plans.

**History:** R.S. 1846, Ch. 13 ;-- CL 1857, 315 ;-- CL 1871, 446 ;-- Am. 1877, Act 61, Eff. Aug. 21, 1877 ;-- How. 452 ;-- Am. 1897, Act 226, Eff. Aug. 30, 1897 ;-- CL 1897, 2454 ;-- CL 1915, 2251 ;-- CL 1929, 1109 ;-- CL 1948, 45.16 ;-- Am. 1971, Act 113, Imd. Eff. Sept. 21, 1971

**Compiler's Notes:** The board of corrections and charities, referred to in this section, was abolished by MCL 400.19 and its powers and duties transferred to the department of social services.

**45.16a County jails; contracts for use; lockup required.**

Sec. 16a.

In lieu of providing a jail, as required in section 16, each county may contract with other counties for the use of such counties' jails. However, each county shall maintain a lockup which meets the standards established by the department of corrections by rules promulgated in accordance with the provisions of Act No. 88 of the Public Acts of 1943, as amended, being sections 24.71 to 24.80 of the Compiled Laws of 1948, and subject to Act No. 197 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110 of the Compiled Laws of 1948.

**History:** Add. 1968, Act 93, Imd. Eff. June 4, 1968

**Admin Rule:** R 791.701 et seq. of the Michigan Administrative Code.

**45.17 County prison limits.**

Sec. 17.

The prison limits of each county, shall extend to all places within the boundaries of the county.

**History:** R.S. 1846, Ch. 13 ;-- CL 1857, 316 ;-- CL 1871, 447 ;-- How. 453 ;-- CL 1897, 2455 ;-- CL 1915, 2252 ;-- CL 1929, 1110 ;-- CL 1948, 45.17

**45.18 Escape due to insufficiency of county jail; liability of sheriff.**

Sec. 18.

In case of the escape of any prisoner, by reason of the insufficiency of the jail, whereby the sheriff, or other officer performing the duties of sheriff, shall be made liable to any party at whose suit such prisoner was committed, the county shall re-imburse and pay all sums of money recovered of the sheriff or such other officer by such party, by reason of such escape.

**History:** R.S. 1846, Ch. 13 ;-- CL 1857, 317 ;-- CL 1871, 448 ;-- How. 454 ;-- CL 1897, 2456 ;-- CL 1915, 2253 ;-- CL 1929, 1111 ;-- CL 1948, 45.18