25

judgment."

INTRODUCED BY Gilliam Manghan Lester Jun Harr 1 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 16-2714, R.C.M. 1947, TO LIMIT THE LIABILITY OF SHERIFFS IN 5 RESPECT TO SERVICE OF PROCESS AND LEVY OF ATTACHMENT." 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 16-2714, R.C.M. 1947, is amended to read as follows: 10 11 \*16-2714. Direction to sheriff must be in writing. No 12 direction or authority by a party or his attorney to a 13 sheriff, in respect to the execution of process or return 14 thereof, or any act or omission relating thereto, is 15 available to discharge or excuse the sheriff from a 16 liability for neglect or misconduct, unless it is contained 17 in a writing signed by the attorney of the party or by the 18 party. No sheriff shall be liable in any way for debts, 19 charges, bills, fees, or expenses of any nature, arising 20 from the execution of any lawful process or the levy of any 21 attachment as provided for in section 93-4313, whether 22 authorized or contracted by either plaintiff or defendant or 23 their attorneys, if in the execution of said process or attachment, the sheriff has exercised good and proper 24

HB 0211/02

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Approved by Comm. on Local Government

1	HOUSE BILL NO. 211
2	INTRODUCED BY GILLIGAN, MENAHAN, LESTER,
3	JACK MOORE, TROPILA
4	
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6	16-2714, R.C.M. 1947, TO LIMIT THE LIABILITY OF SHERIFFS IN
7	RESPECT TO SERVICE OF PROCESS AND LEVY OF ATTACHMENT.
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24	their attorneys, if in the execution of said process or
25	attachment, the sheriff has-exercisedgoodandproper

- judgment MADE SUCH PROCESS OR ATTACHMENT IN A REASONABLE
- MANNER."

-End-

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- 1 judgment MADE SUCH PROCESS OR ATTACHMENT IN A REASONABLE
  - -End-