

540.2 Refusal or neglect of creditor.

If the creditor refuses or neglects to bring an action for ten days after request, and does not permit the surety to do so, and to furnish the surety with a true copy of the contract or other writing therefor, and enable the surety to have the use of the original when requisite in such action, the surety shall be discharged.

[C51, § 971; R60, § 1820; C73, § 2109; C97, § 3065; C24, 27, 31, 35, 39, § **9458**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 540.2]