

626.65 Objections by surety.

When any court shall render judgment against two or more persons, any of whom is surety for any other in the contract on which judgment is founded, there shall be no stay of execution allowed, if the surety objects thereto at or before the time of rendering the judgment, whereupon it shall be ordered by the court that there be no stay, unless the surety for the stay of execution will undertake specifically to pay the judgment in case the amount thereof cannot be levied of the principal defendant, and the judgment shall recite that the liability of such stay is prior to that of the objecting surety.

[R60, § 3300; C73, § 3068; C97, § 4003; C24, 27, 31, 35, 39, § **11713**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 626.65]