

CARRYING ON BUSINESS UNDER ASSUMED OR FICTITIOUS NAME (EXCERPT)

Act 101 of 1907

445.5 Violation of act; penalty; violation of contracts, effect.

Sec. 5. Any person or persons owning, carrying on or conducting or transacting business as aforesaid, who shall fail to comply with the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$25.00 nor more than \$100.00 or by imprisonment in the county jail for a term not exceeding 30 days or by both such fine and imprisonment in the discretion of the court, and each day any person or persons shall violate any provisions of this act shall be deemed a separate offense: Provided, however, The fact that a penalty is provided herein for non-compliance with the provisions of this act shall not be construed to avoid contracts; but any person or persons failing to file the certificate required by section 1 or 1a shall be prohibited from bringing any suit, action or proceeding in any of the courts of this state, in relation to any contract or other matter made or done by such person or persons under an assumed or fictitious name, until after full compliance with the provisions of this act; but no person or persons doing business under a fictitious name or as the assignee or assignees thereof shall maintain or prosecute any action, nor shall any order, judgment, or decree be made in any action heretofore or hereafter commenced in any court of this state upon or on account of any contract or contracts made or transactions had under such fictitious name after August 14, 1919, if the conduct of such business under such fictitious name has ceased, or if it is still conducted under such fictitious name, then until after full compliance with the provisions of this act.

History: 1907, Act 101, Eff. Sept. 28, 1907;—CL 1915, 6353;—Am. 1919, Act 263, Eff. Aug. 14, 1919;—CL 1929, 9829;—Am. 1931, Act 274, Eff. Sept. 18, 1931;—CL 1948, 445.5;—Am. 1949, Act 151, Eff. Sept. 23, 1949.