§ 1604. Bond of marshal. (a) No marshal shall be permitted to enter upon the duties of his office until he shall have given a bond as herein prescribed. The bond shall be executed by the marshal with two sufficient sureties, who shall be residents of the city of New York and each of whom shall be the owner of real estate therein of the value of double the penalty of the bond. The penalty of the bond shall be the sum of sixty thousand dollars. Except as hereinafter provided, beginning July first, nineteen hundred ninety-nine, the penalty of the bond shall increase to the sum of eighty thousand dollars and beginning July first, two thousand, the penalty of the bond shall increase to the sum of one hundred thousand dollars. If on June thirtieth, nineteen hundred ninety-nine the provisions of subdivision (s-1) of section one hundred five of the civil practice law and rules and paragraph b of subdivision one of section sixteen hundred nine of the New York city civil court act are repealed pursuant to section three of chapter four hundred fifty-five of the laws of nineteen hundred ninety-seven, the penalty of the bond shall remain sixty thousand dollars and shall not increase to the sum of eighty thousand dollars on July first, nineteen hundred ninety-nine or to the sum of one hundred thousand dollars on July first, two thousand. The bond shall provide that the marshal and the sureties shall jointly and severally answer to the city of New York and any persons that may complain, for the true and faithful execution by such marshal of the duties of his office. The bond shall be submitted for approval to a judge of the court and such judge shall have power to require that the sureties justify before him within five days after the bond shall have been submitted, and shall approve or reject the bond within five days thereafter. When so approved, the bond shall be filed with the city clerk of the city of New York. A marshal already qualified for and in office on any date upon which the penalty of the bond shall increase pursuant to this subdivision shall within thirty days after such date file with the city clerk an additional bond, otherwise executed as provided for herein and approved by a judge of the court, in an amount sufficient to bring the total amount of such bond to the penalty amount provided in this subdivision.

(b) The bond must be executed, approved and filed within thirty days after the appointment of the marshal or he shall be deemed to have declined his appointment and another person shall be appointed in his

place.