

ship, Village or Town, Treasurer or  
 2 Chamberlain, and to return such warrant  
 within *forty* days after the date thereof,  
 4 which warrant the said Treasurer or Cham-  
 berlain, shall immediately deliver to the  
 6 Sheriff of the County or High Bailiff of the  
 City, as the case may require.

9 **XLIII.** And be it enacted, That the  
 Sheriff or High Bailiff, to whom the war-  
 10 rant is directed, shall, within such forty  
 days, cause the same to be executed, and  
 12 shall make return thereof to the County,  
 City, Village, Township, or Town Treasurer  
 14 or Chamberlain, and shall pay to him the  
 money levied by virtue thereof, deducting  
 16 for his fees the same compensation that  
 the Collector would have been entitled to  
 18 retain.

How and  
 when the said  
 warrant shall  
 be executed.

**XLIV.** And be it enacted, That if any  
 20 Sheriff or High Bailiff, shall refuse or neglect  
 to levy such money, or to pay over the  
 22 same, or shall make a false return to such  
 warrant, or neglect or refuse to make any  
 24 return, or shall make an insufficient return,  
 it shall and may be lawful for the said Coun-  
 26 ty, City, Township, Village or Town Treas-  
 urer or Chamberlain to make application  
 28 in a summary manner upon affidavit of the  
 facts, to either of the Superior Courts of  
 30 Common Law Jurisdiction in Upper Canada  
 in term time, or to any Judge of the said  
 32 Courts in vacation, for a rule or summons  
 calling upon the said Sheriff or High Bailiff  
 34 to answer the matter of such affidavit,  
 which said rule or summons, shall be re-  
 36 turnable at such time as the said Court or  
 Judge shall direct; and upon the return of  
 38 such rule or summons it shall and may be  
 lawful for the said Court or Judge to pro-  
 40 ceed in a summary manner, upon affidavit  
 and without formal pleadings, to hear  
 42 and determine the matters of such applica-  
 tion; and if the said Court or Judge shall be  
 44 of opinion that the said Sheriff or High  
 Bailiff has refused or neglected to levy such  
 46 money or to pay over the same, or has made

Mode of pro-  
 ceeding  
 against any  
 sheriff or high  
 bailiff refusing  
 or neglecting  
 to pay over  
 monies levied  
 by him as  
 aforesaid.