

Proceedings
for compelling
Collectors to
pay over mo-
neys collected
to the proper
Treasurer.

182. If a Collector refuses or neglects to pay to the proper Treasurer or Chamberlain, or other person legally authorized to receive the same, the sums contained in his roll, or duly to account for the same as uncollected, the Treasurer or Chamberlain shall, within twenty days after the time when the payment ought to have been made, issue a warrant under his hand and seal, directed to the Sheriff of the County, or to the High Bailiff of the City (as the case may be) commanding him to levy of the goods, chattels, lands and tenements of the Collector and his sureties, such sum as remains unpaid and unaccounted for, with costs, and to pay to the Treasurer or Chamberlain the sum so unaccounted for and to return the warrant within forty days after the date thereof.

Warrant.

Warrant to be
delivered to
Sheriff, &c.

183. The said Treasurer or Chamberlain shall immediately deliver the said warrant to the Sheriff of the County, or High Bailiff of the City, as the case may require.

Sheriff, &c., to
execute it: and
pay it over.

184. The Sheriff or High Bailiff to whom the warrant is directed shall, within forty days, cause the same to be executed and make return thereof to the Treasurer or Chamberlain, and shall pay to him the money levied by virtue thereof, deducting for his fees the same compensation as upon writs of execution issued out of courts of record.

Mode of com-
pelling Sheriff,
&c., to pay
over.

185. If a Sheriff or High Bailiff refuses or neglects to levy any money when so commanded, or to pay over the same, or makes a false return to the warrant, or neglects or refuses to make any return, or makes an insufficient return, the Treasurer or Chamberlain may, upon affidavit of the facts, apply in a summary manner, to either of the Superior Courts of Common Law in term time, or to any Judge of either Court in vacation, for a rule or summons calling on the Sheriff or High Bailiff to answer the matter of the affidavit.

Rule of Court.

When return-
able.

186. The said rule or summons shall be returnable at such time as the Court or Judge directs.

Hearing on
return.

187. Upon the return of such rule or summons the Court or a Judge may proceed in a summary manner upon affidavit, and without formal pleading, to hear and determine the matters of the application.

Fi: fa: to the
Coroner to
levy the mo-
ney.

188. If the Court or Judge be of opinion that the Sheriff or High Bailiff has been guilty of the dereliction alleged against him, such Court or Judge shall order the proper officer of the Court to issue a writ of *Fieri Facias*, adapted to the case, directed to a Coroner of the County in which the Municipality is situate, or to a Coroner of the City (as the case may be) for which the Collector is in default.