

LV. And be it enacted, That if any
 2 Sheriff or High Bailiff, shall refuse or
 neglect to levy such money or to pay over
 4 the same, or shall make a false return to
 such warrant, or neglect or refuse to make
 6 any returns, it shall and may be lawful for
 the said Treasurer or Chamberlain to make
 8 application in a summary manner upon af-
 fidavit of the facts, to either of the Superior
 10 Courts of Common Law jurisdiction in
 Upper Canada in term time, or to any Judge
 12 of the said Courts in vacation, for a rule or
 summons calling upon the said Sheriff or
 14 High Bailiff to answer the matter of such
 affidavit, which said rule or summons shall
 16 be returnable at such time as the said Court
 or Judge shall direct ; and upon the return
 18 of such rule or summons it shall and may
 be lawful for the said Court or Judge to pro-
 20 ceed in a summary manner upon affidavit
 and without formal pleadings, to hear and
 22 determine the matter of such application ;
 and if the said Court or Judge shall be of
 24 opinion that the said Sheriff or High Bailiff
 has refused or neglected to levy such money
 26 or to pay over the same, or has made a
 false return or neglected or refused to make
 28 any return, or has made an insufficient re-
 turn, it shall and may be lawful for the
 30 said Court or Judge, and the said Court or
 Judge is hereby required, to order the pro-
 32 per officer of such Court to issue a Writ of
feri facias adapted to the case, directed to
 34 the Coroners of the said County, in case the
 said application be made by the County
 36 Treasurer, or to the Coroners of the County
 in which the said City is situate, which said
 38 Writ shall direct the said Coroners to levy
 of the goods and chattels of the said Sheriff
 40 or High Bailiff, such sum as such Sheriff or
 High Bailiff may have been ordered to levy
 42 by the Warrant of the said Treasurer or
 Chamberlain, together with the costs of such
 44 application and of execution ; and such
 Writ shall bear teste on the day of issuing
 46 the same, and shall be returnable forthwith,
 and the Coroner executing such Writ shall
 48 be entitled to the same fees and no more, as

Mode of pro-
 ceeding
 against any
 sheriff or high
 bailiff who
 shall have
 levied such
 taxes, and
 shall refuse or
 neglect to pay
 them over.

Fees to coro-
 ner.