

said commissions shall be levied by the county or city authorities, or by the tax board, and collected by said collectors.

SEC. 68. If any collector shall fail to pay into the Treasury the amount of money which may or should be in his hands for the use of the State, at the time hereinbefore specified for payment, he shall be charged interest thereon at the rate of six per centum per annum, from the time the said money became due and payable.

Collector failing to pay

SEC. 69. In all cases in which any collector shall fail to pay the amount due and payable by him into the Treasury, at the time hereinbefore specified, the Comptroller may, in his discretion, order a suit upon his bond.

Order a suit upon his bond

SEC. 70. When the Comptroller shall order suit upon a collector's bond he shall transmit to the State's attorney, or some other attorney by him selected, a statement of the account of such collector; and upon the account so transmitted, signed and certified by the Comptroller, and on motion being made on behalf of the State, judgment shall be entered at the first term of the Court in which suit may have been brought in the name of the State, against such collector and his sureties, and execution shall issue thereon as in other cases; provided, ten days' previous notice in writing be delivered to such collector and his sureties, or left at their place of abode, signed by the said attorney; and it shall be the duty of the sheriff to serve such notice, and proof of such service shall be made to the satisfaction of the court before such judgment shall be entered.

To transmit to attorney

SEC. 71. If such collector or his sureties shall in person or by attorney desire a trial by jury of any matter in controversy in said suit, which shall by them be pleaded, the court shall thereupon direct a jury to be empanelled at the said term to try and determine the matter in controversy.

Desire a trial by jury

SEC. 72. It shall not be necessary for the State in any suit brought on any bond given by any person who has the collection of any part of the States' revenue, in reply to the plea of performance, to set out

Not necessary.