

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.

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.

Id s 69
Collector failing to pay amount due into treasury

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

Id s 70
Suit on collector's bond, how conducted.

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 impanelled at the said term to try and determine the matter in controversy.

Id s 71
Defendants may have trial by jury

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 State's revenue, in reply to the plea of performance, to set out at large in its replication the breaches for which damages are claimed, but may reply generally that the obligor or obligors hath or have not performed the conditions of his or their bond, accompanying the same by a substantial statement of the amount demanded, and give the special matter in evidence, upon which issue the jury shall assess such damages as the State may have sustained, and upon such verdict, if for the State, judgment shall be entered for the penalty of the bond, to be released upon the payment of the damages assessed by the jury, with interest thereon until paid, and costs.

Id s 72
Plaintiff may reply generally

73. The attorney prosecuting such action shall be allowed the usual commissions for such services; but no payment of any money due the State, either in suit or on judgment, shall be valid and effectual, unless made to the State's attorney, or to the treasurer, or such person as shall have been specially appointed and authorized by him to receive the same, or unless made to such sheriff, coroner or elisor as may be authorized to receive the same by virtue of any execution issued to enforce the payment thereof. No attorney, other than the State's attorney prosecuting such action, as provided for in this section, shall receive any part of the money thus sued for, except the fees allowed by law, under a penalty of a fine

Id s 73
Commissions of attorney prosecuting
No payment valid unless made to State's attorney, treasurer or sheriff under execution.