



# Highway Act 1835

## 1835 CHAPTER 50

### **XXXVII Collector to make out Accounts of all Monies received under this Act, &c.**

And be it further enacted, That every Collector appointed by virtue of this Act shall under his Hand, and at such Time and in such Manner as the Surveyor may direct, deliver to the said Surveyor as aforesaid true and perfect Accounts in Writing of all Monies which shall have been by such Collector received by virtue of this Act, and also a List of the Names of all such Persons as shall have neglected or refused to pay their respective Rates, and of the Monies due from them respectively ; and that every such Collector shall pay all such Monies as shall remain due from him to the said Surveyor as aforesaid; and if any such Collector shall refuse or neglect to make and render such Account, or to produce and deliver up the List of Persons neglecting and refusing to pay their Rates as aforesaid, or to make Payments as aforesaid, or shall refuse or wilfully neglect to deliver to the said Surveyor as aforesaid, or to such Person as he shall appoint to receive the same, within Three Days after being thereunto required by the said Surveyor as aforesaid by Notice in Writing under his Hand given to or left at the usual Place of Abode of such Collector, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Surveyor as aforesaid respecting the same, then and in every such Case, upon Complaint made by the said Surveyor as aforesaid of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace, such Justice may and he is hereby authorized and required to issue a Summons under his Hand for the Collector so refusing or neglecting to appear before any Two Justices of the Peace; and upon the said Collector appearing, or having been so summoned and not appearing without some sufficient or reasonable Excuse, or not being found, it shall be lawful for the said Two Justices to hear and determine the Matter; and if, upon Confession of the Party, or by the Testimony of any credible Witness on Oath, it shall appear to such Justices that any Monies remain due from such Collector, such Justices may and they are hereby authorized and required, upon Nonpayment thereof, by Warrant under their Hands, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Collector ; and if no Goods and Chattels of such Collector shall be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, then and in every such Case such Justices shall and they are hereby required to commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to be kept

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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to hard Labour for a Period not exceeding Six Calendar Months, or until he shall have paid such Monies as aforesaid, or compounded with the Surveyor as aforesaid for such Money (which Composition the said Surveyor; with the Consent of the Inhabitants in Vestry, or, in any Parish where they do not meet in Vestry, with the Consent of the Inhabitants contributing to the Highway Rate at a public Meeting assembled, is hereby empowered to make and receive); or if it shall appear to such Justices that such Collector had refused or wilfully neglected to render and give such Accounts, or to produce and deliver the List of Persons neglecting and refusing to pay their Rates as aforesaid, or that any Books, Papers, or Writings relating to the Execution of this Act remained in the Hands or in the Custody of Power of such Collector, and he refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in every such Case such Collector shall, on Conviction thereof, forfeit for such Offence any Sum not exceeding Twenty Pounds, and in default of Payment thereof shall be committed to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to be kept to hard Labour for a Period not exceeding Four Calendar Months, or until he shall have given a true and perfect Account as aforesaid, and delivered such List as aforesaid, and delivered up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Surveyor : Provided always, that no Conviction or Imprisonment of such Collector as aforesaid shall exonerate or discharge any Security taken from him on his Appointment as aforesaid.