

**70.420 Recovery for failure to pay over money collected.**

- (1) For constable's failure, upon proper demand, to pay over money collected by him, the plaintiff shall recover the amount collected by the officer, and interest from the time of demand, and ten percent (10%) damages thereon, and the costs of his motion or action.
- (2) In such action or motion a receipt given by the constable to the person placing the claim or demand in his hands shall be presumptive evidence, after one hundred and twenty (120) days from its date, that such demand has been collected.

**Effective:** October 1, 1942

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 429, 432, 434.