

the State, the number of shares held by persons in the said county or city, and the number of shares held by persons outside of said county or city, and within the State, and also a statement showing the assets of said corporation in a general way, and the estimated value of said assets; and upon the filing of said petition and said statement, it shall be the duty of the said court to appoint a day for the hearing thereof as early as can conveniently be assigned for the purpose; notice whereof shall be given to the County Commissioners or Appeal Tax Court, as the case may be, by service of a copy of said petition and statement, and of the order of said court; and if the said County Commissioners or said Appeal Tax Court shall controvert the allegations of said petition, then the matters in issue shall be tried, in the usual way, by a jury then and there to be empaneled, and either party, except as to mere valuation, shall be entitled to appeal within sixty days after such decision, upon any exceptions that may be taken to the opinions or directions of the court in matters of law, and such appeal shall be heard and determined at the term of the Court of Appeals then next succeeding such appeal; and the amount that may be fixed by the jury in case there be no appeal, or in case the decision below shall be affirmed, shall be final and conclusive; *provided*, that no corporation shall be entitled to have a day appointed for the hearing of said petition, unless the said corporation shall either deposit, as the said court may direct, such sum of money as the said County Commissioners or said Appeal Tax Court may claim as properly demandable, or file a bond with sureties, to be approved by said court, in double the amount of the money claimed by said County Commissioners or said Appeal Tax court as properly demandable, conditioned for the payment of such amount as may be adjudged to be properly demandable from said corporation.

In force from March 9, 1864.