

Nulle bona returned. execution on such judgment shall have been returned, it shall be lawful for the person or persons or body corporate, entitled to the benefit of such judgment to file a bill in the court of chancery, or in a county court, as a court of equity against all or any person or persons, or bodies corporates, who shall have distinctly or separately or otherwise entered into any contracts with said corporation, or shall be liable to it otherwise, or shall have distinctly, separately or otherwise executed to said corporate body any promissory note or other security for or on account of stock, in and of said corporate body or on any other account, and the court may in such case on finding and determining the said person or persons, or bodies corporate, to be indebted or liable as aforesaid, decree payment against such person or persons or bodies corporate, to the person or persons entitled to the benefit of said judgment, rateably with other creditors of said corporate body who by virtue of the provisions hereof shall be entitled to the benefit of said decree, so far as such liability as aforesaid shall extend, or as it shall be equitably; and such bill shall be deemed and proceeded with as a creditor's bill in equity; and the creditors of said corporate body applying upon notice, and according to the terms usual in cases of creditors' bills aforesaid, shall receive payment rateably and proportionably out of the amount of the liability as aforesaid; and the court shall order such amount to be brought into court for distributive payment as aforesaid; and if the said defendants or any of them shall pray a trial at law of any issue in fact in said case, the said court shall send such issue to some court of law for trial in manner as issues are, which are sent from chancery; and it is hereby further provided, that the person or persons, or body corporate, entitled as aforesaid to file such bill, may in and by said bill or by a distinct bill, require said corporate body to discover under oath of any of its officers, who for that object may be made parties defendants, the person or persons or bodies corporate, liable or indebted, as aforesaid, and the considerations and circumstances of such liability and indebtedness, and the amounts thereof respectively; and it is hereby provided, that any of the parties in said causes shall be entitled to an appeal as allowed in cases in equity.

Bill may be filed in court of equity. **Against persons, &c. liable to said corporation.** **Court on finding such persons, &c. shall decree payment, &c.** **Rateably.** **Proceeding as on creditor's bill.** **Order amount into court, for distribution.** **Trial at law of facts.** **May compel officers of corporate body to discover under oath, as to liability, &c.** **Right of appeal.** **Process served on officers.** **Deemed effective.**

SEC. 5. And be it enacted, That any process issued by any court of this state against an incorporated company, holding and exercising franchises within said state, may be served upon the president or any director or manager or other officer, of such company, with the same effect as if such process were served on the president and directors or a majority of them; and such process shall be deemed to every effect, service upon said corporate body.