

in the next preceding Section ; and nothing herein contained shall authorize the location of any road on private property without consent of the owners or the decision of the County Commissioners upon due hearing as now prescribed by law for opening or altering public roads.

Legal proceedings.

Sec. 176. *And be it enacted*, That whenever the Attorney General of the State, or the State's Attorney for the City of Baltimore, or for any county in this State, shall be authorized by the Governor to institute proceedings against any corporation incorporated under the laws of this State to ascertain whether such corporation has been guilty of such misuse, abuse or nonuser of its corporate powers and franchises as by law would authorize and make proper the forfeiture of its charter, corporate powers and franchises, the Attorney General or State's Attorney, so authorized, shall file in the court hereafter designated, a petition in the name of the State, setting forth fully and in detail, the alleged abuse, misuse or nonuser, by reason whereof the said forfeiture is sought, and upon the filing of such petition, the court in which it is filed, or any Judge thereof, shall lay a rule requiring the said corporation to show cause, within such time as the Judge may deem proper, why a decree of forfeiture should not issue as prayed in said petition, a copy of which rule and of the petition shall be served on the said corporation by a day to be therein limited, which shall be served as other process against such corporations is directed to be served.

File answer.

Sec. 177. *And be it enacted*, That the said corporation, by the day named in said order, unless further time be granted by the court, shall file an answer to such petition, fully setting forth all the defenses upon which it intends to rely on resisting such application, which shall be verified by the affirmation or affidavit of some officer of the said corporation.

Within five days.

Sec. 178. *And be it enacted*, That the petitioners may thereupon plead to or traverse all or any of the material averments set forth in the said answer, and the said defendant shall take issue or demur to said plea, or traverse within five days thereafter.