

Sec. 179. *And be it enacted*, That if issue or issues be joined on such proceedings, the same shall stand for trial at such time as the court shall direct, and the said issue or issues shall be tried by a jury if either party desire it; otherwise they shall be heard and determined by the court. If, from the findings of the jury or upon consideration and determination of the case by the court, the court shall be of opinion that legal cause of forfeiture has been shown, and the public interests require that the said forfeiture should be declared a decree of forfeiture shall be entered, and the charter of said corporation shall thereby be annulled and vacated, and all its corporate franchises and powers shall cease and henceforth be void, and the court shall thereupon appoint a receiver or receivers of the estate and assets of the said corporation, in the same manner and with like powers as is provided in Sections one hundred and eighty-nine and one hundred and ninety of this Article, in reference to dissolution of corporations on bill filed therefor on their own motion.

Join issues.

Receiver.

Sec. 180. *And be it enacted*, That if any corporation upon whom the aforesaid petition and rule to show cause has been served, shall neglect to file an answer to the petition at the time appointed by the said court the court shall thereupon proceed to hear the said application ex parte, within five days thereafter, and if it shall be of opinion that good cause of forfeiture is shown, it shall proceed forthwith to decree the same as is hereinbefore provided in the preceding Section of this Article.

Show cause within five days.

Sec. 181. *And be it enacted*, That if the court, either upon a hearing ex parte, as hereinbefore provided, or upon a hearing after answer, as provided in Section one hundred and seventy-nine, shall be of opinion that no cause of forfeiture has been shown or that the public interest do not demand that such forfeiture should be decreed, even though legal cause therefor has been shown, it shall dismiss the petition and award costs in favor of the corporation proceeded against in its discretion; and if the court shall determine that legal cause of forfeiture has been shown, it may, in its discretion, before passing a final decree of forfei-

Court may dismiss.