

ney or agent upon the call of the docket, it shall be the duty of the court to cause the personal appearance of said company to be entered, and the case shall stand for trial or hearing as if said company had appeared by attorney, and if said company shall appear by attorney or agent, and either party shall desire a trial by jury, it shall be the duty of the court to cause issues to be framed, and a jury to be *empaneled* for the trial thereof, and if the verdict of the court or jury shall be for the State, judgment shall be entered without stay for the amount of the taxes so due as aforesaid, and ten per cent. additional as damages, with interest and all costs, and a fee of fifty dollars shall be allowed the State's Attorney, to be taxed in the plaintiff's costs in said suit, and execution shall be issued on said judgment, if the same be not paid into the Treasury within twenty days after the rendition thereof.

Court to
cause issues
to be framed.

SEC. 7. *And be it further enacted*, That the certificate of the Comptroller under seal, of the amount of tax so due as aforesaid, shall be *prima facie* evidence to entitle the State to judgment for said amount, and said penalty or damages; and any engine, car or other property found in the possession of said company, or of any officer, agent or employee thereof, in the service of the said company, shall be deemed and considered as the property of said company, and shall be liable to execution and sale for the payment of the said judgment and costs.

Certificate of
Comptroller
prima facie
evidence.

SEC. 8. *And be it further enacted*, That the property, real and personal, of all railroad companies which shall duly pay into the treasury the said annual tax on gross receipts as aforesaid, shall be exempt from taxation for State purposes during the continuance of this Act.

Exempt from
taxation.

SEC. 9. *And be it enacted*, That this Act shall take effect from and after the date of its passage.

In force.

Approved April 1, 1872.