

1908, ch. 240, sec. 42.

**67.** The directors of a corporation may, unless otherwise provided in the by-laws, determine the conditions upon which a new certificate of stock may be issued in place of a certificate which is alleged to have been lost or destroyed. They may, in their discretion, require the owner of such certificate or his legal representative to give bond, with sufficient surety, to the corporation to indemnify it against any loss or claim which may arise by reason of the issue of a certificate in the place of the missing one.

See sec. 50.

1904, art. 23, secs. 391 to 395, inclusive. 1888, art. 23, secs. 277 to 281, inclusive. 1868, ch. 471, secs. 198 to 202, inclusive. 1886, ch. 287. 1908, ch. 240, sec. 43.

**68.** The interest which any defendant in a judgment or decree rendered by a court of law or equity, or in any proceeding by attachment, has on the books thereof in the capital stock of a corporation of this State, or of any national bank located therein, shall be liable to execution or attachment, and the proceedings thereon shall be as follows: the sheriff or other execution officer charged with the execution of the writ shall leave at the principal office of the corporation a notice in writing that he has seized the stock of the defendant (naming him and the purpose for which he has seized the same), and shall retain a copy of such notice and return it with the writ, the precise time of service being endorsed thereon. Upon receipt of such notice, the president or officer of the corporation to whom the same shall have been delivered, shall state in writing to the sheriff or other execution officer, the number of shares of stock standing in the name of the defendant at the time of such notice; and if the president or other corporate officer shall refuse or neglect for twenty-four hours to deliver such statement, the sheriff or other execution officer shall certify the fact to the court to which the writ is returnable, or to any judge thereof; and the said judge or court may order an attachment for contempt against such president or other corporate officer, and may compel him to answer under oath on oral examination, as to the number of shares of stock in the name of such defendant at the time of service of such notice, and may compel the production of the books of the corporation, and also fine the president or other officer for not giving the required statement. When the sheriff or other execution officer has ascertained the number of shares of stock standing in the name of the defendant he shall make a schedule thereof, or of so much thereof as will be amply sufficient to secure the debt and costs, and shall give notice to the corporation that the shares not included in this schedule are released. Thereupon such proceedings shall be had under the writ of execution or attachment as if the shares so seized were real estate; and they shall be transferred to the purchaser on the books of the corporation by such sheriff or other execution officer, or by such person as shall be named by the court to which said writ is returnable. It shall be the duty of the corporation to issue to the purchaser at the sale made by the sheriff or other execution