

defendant shall take issue or demur to said plea or traverse within five days thereafter.

4. 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 interest 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 14 and 15 of this article, subtitle Proceedings against Corporations, in reference to dissolution of corporations on bill filed therefor on their own motion.

Id s 179
Joinder of issue
and trial

Forfeiture of
charter

Receivers

5. 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.

Id s 180
Neglect to file
answer

Hearing
ex parte

6. If the court, either upon a hearing *ex parte*, as hereinbefore provided, or upon a hearing after answer, as provided in section 4 hereof, shall be of opinion that no cause of forfeiture has been shown, or that the public interest does 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 forfeiture, pass orders requiring the said corporation, within a time to be thereby fixed, to remedy the grievance complained of, and may suspend the passage of the final decree of forfeiture until the time so fixed, and may afterwards refuse to pass such decree, if the grievance shall have been remedied by the time so fixed.

Id s 181
Dismissal of
petition.

Costs

Orders

Final decree

7. The petition for forfeiture, hereinbefore mentioned, shall be filed in the Circuit Court for the county in which the certificate of incorporation of said corporation was filed, if said corporation shall have been incorporated under the laws requiring the filing of such certificate, and in the case of all other corporations such petition shall be filed in the county in which either the principal office of said corporation was last located, or in which the principal business of said corporation was last carried on, but if the corporation to be proceeded against has filed the certificate of incorporation in

Id s 182
Petition for for-
feiture, where
filed