

to such petition, fully setting forth all the defences 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.

1868, ch 471, ch. 178.

257. 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.

Ibid. sec 179.

258. 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 said corporation, in the same manner and with like powers, as provided in sections 268 and 269 of this article, in reference to dissolution of corporations on bill filed therefor on their own motion.

Ibid. sec. 180.

259. If any corporation, upon whom the aforesaid petition and rule to show cause have 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 provided in the preceding section.

Ibid. sec. 181.

260. If the court, either upon a hearing *ex parte*, as provided in section 259, or upon a hearing after answer, as provided in sec-