

same to the said account and forthwith to make out said account and certify the same under the seal of his office, and to cause suit to be brought for said taxes in the circuit court for the county where the principal office of such corporation or company is located, or in the superior court of the city of Baltimore, the court of common pleas, or the Baltimore city court if such principal office be located in said city, and the said suit shall stand for trial at the first term after the service of the writ shall have been made on such corporation or company, and service of the writ aforesaid on any officer, agent or employee of such corporation or company shall be deemed and taken as sufficient service on such company. Service.

SEC. 7. *And be it enacted*, That if upon the return of the writ issued against such corporation or company, and the said corporation or company being duly summoned as aforesaid, such corporation or company shall fail to appear by attorney or agent upon the first call of the docket, it shall be the duty of the court to cause the personal appearance of said corporation or company to be entered, and the cause shall stand for trial or hearing and shall proceed, and judgment shall be rendered as if such corporation or company had appeared by attorney; and if such corporation or company shall appear by attorney or agent and either party shall desire or require a trial by jury, it shall be the duty of the court to cause issues to be framed and a jury to be empanelled for the trial thereof; and if the verdict of the jury shall be for the State judgment shall be entered without stay for the amount of the taxes so due as aforesaid, and the five per cent. additional as damages with interest and costs, and a fee of fifty dollars shall be allowed the attorney for the State to be taxed in the plaintiff's costs in said suit, and execution shall be issued on such judgment if the same be not paid into the treasury within thirty days after the vendition thereof. Appearance.

SEC. 8. *And be it enacted*, That the certificate of the comptroller under the seal of his office of the amount of tax so due as aforesaid, and of the said penalty or damages shall be *prima facie* evidence to entitle the State to judgment for said amount of State taxes, and said penalty or damages in any case in which suit may be brought for the recovery of such State taxes as aforesaid. Prima facie.

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

Approved April 3, 1890.