

- CHAP. 306.** said process, and an alias scire facias shall be that no corporate body is to be found in the county, or no officer of such corporation, whereby said corporation may be summoned, the said court may, on a declaration being filed in the cause, setting forth the causes why the said corporate body should be ousted, and the act of incorporation, charter, and franchises, and powers thereof, vacated and annulled order, that an inquiry as in cases of judgments by default, be had by a jury, upon the allegations of said declaration; and the jury shall certify to the court in manner as usual in cases of inquisition on writs or orders of inquiry in suits at common law, the finding of said jury, and shall certify the same in the form and terms of a special verdict, and thereupon the court shall proceed to judgment as aforesaid, in the matter of said corporate body.
- On return of non est.**
Court may order inquiry by jury.
- Form of verdict.**
- Judgment thereon**
- When such scire facias shall be issued.**
- Sec. 3.** *And be it enacted,* That the scire facias aforesaid shall issue out of the county court of the county, or of any of the counties, which shall be prescribed by the act of incorporation thereof, or which shall be or shall have been used by such corporate body, for keeping its place of business in; or, if it have no such place of business prescribed or used in fact as aforesaid, then of any county in or through which the works, operations, or dealings, of said corporate body shall be, or shall, by said act, be proposed to be, or to be carried on, or conducted.
- When judgment against is recovered.**
- Nulla bona returned.**
- Bill may be filed in court of equity.**
- Against persons, &c. liable to said corporation.**
- Court on finding such persons, &c. shall decree payment, &c.**
- Ratably.**
- Sec. 4.** *And be it enacted,* That where judgment against any corporate body shall have been recovered and nulla bona to any execution on such judgment shall have been returned, it shall be lawful for the person or persons or body corporate, entitled to the benefit of such judgment to file a bill in the court of Chancery, or in a county court, as a court of equity against all or any person or persons, or bodies corporates, who shall have distinctly or separately or otherwise entered into any contracts with said corporation, or shall be liable to it otherwise, or shall have distinctly, separately or otherwise executed to said corporate body any promissory note or other security for or on account of stock, in and of said corporate body or on any other account, and the court may in such case on finding and determining the said person or persons, or bodies corporate, to be indebted or liable as aforesaid, decree payment against such person or persons or bodies corporate, to the person or persons entitled to the benefit of said judgment, ratably with other creditors of said corporate body, who by virtue of the provisions hereof shall be entitled to the benefit of said decree, so far as such liability as aforesaid