

franchises ought, by reason of abuser or non-user of such powers or franchises, to be vacated and annulled, and, if lawful and proper, to cause the same to be vacated and annulled, it shall and may be lawful for the attorney-general to cause to be issued a scire facias, in the name of the state of Maryland, from the county court, against such corporate body, so abusing or not using such powers and franchises, to shew cause, if any the said corporate body may have, why the act of incorporation thereof and the said powers and franchises should not be vacated and annulled; and on appearance of said corporate body, to said process, the court shall proceed in the case in manner and form, and subject to all the rules and regulations and right of appeal, lawful and proper, in cases of writs of scire facias, and shall determine and render judgment in the premises, either for said corporate body, or that said corporate body be ousted, and that the act of incorporation thereof be vacated and annulled, and that its corporate franchises shall cease and be void.

For abuser or non-user scire facias to issue. To show cause.

Proceedings directed.

Appeal allowed. Judgment.

SEC. 2. *And be it enacted*, That if said corporate body shall be summoned, and shall not appear at the return term of said process, or shall not appear after being summoned, under any alias writ of scire facias, or if the return on 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.

In case of not appearing on summons.

Or return of non est.

Court may order inquiry by jury.

Form of verdict.

Judgment thereon.

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.

Whence such scire facias shall be issued.

SEC. 4. *And be it enacted*, That where judgment against any corporate body shall have been recovered and nulla bona to any

When judgment against is recovered.