

And therefore the Court held that, in no event, could the sureties on an administration bond be answerable for costs awarded against an executor or administrator; see *Dorsey v. Dorsey*, 10 Md. 471; *Edelen v. Edelen*, 10 Md. 415; *Billingslea v. Henry*, 20 Md. 282; *Selby v. Clayton*, 7 Gill, 240. By sec. 6 of Art. 2<sup>3</sup> of the Code, where a new party is made to an action, costs accruing before are to be taxed as part of the costs in the action, &c.; but no new party is to be burdened with debt or costs further than assets have come to his hands. This is codified from the Act of 1785, ch. 80, sec. 1. If the original party therefore die insolvent, his representative may be excused from payment of costs.

As to sec. 2, see note to 11 H. 7, c. 12.

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<sup>3</sup> Code 1911, Art. 75, sec. 31.

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## STATUTES

Made at WESTMINSTER, Anno 24 HEN. VIII. and A. D. 1532.

### CAP. VIII.

#### For Plaintiffs.

Because as well many Recognizances, Obligations, Indentures, and other Specialties, as also many Contracts heretofore have been taken and made between divers persons being of the King's most honourable Council, and other his Subjects, and by and between other persons, to the use and behoof of our said Sovereign Lord the King, for great Sums of Money, then being to his Grace due, and for his Provision, and other Causes; (2) for which Debts, Actions by the Laws of this Realm be to be commenced, sued, and prosecuted to the King's Use, by and in the Name and Names of the Person or Persons to whom the said Recognizances, Obligations, and other Specialties were made, or by those to whom the said Contracts were made: (3) Be it therefore ordained and enacted by Authority of this present Parliament, That albeit that the **291** \*Plaintiff or Plaintiffs be or shall be nonsuited in any whatsoever Action, Suit, Bill or Plaint, commenced, or to be commenced, sued, or to be sued, to the Use of our said Sovereign Lord the King, his Heirs or Successors, Kings of *England*, or that it shall happen any Verdict to pass against any