

1904, art. 23, sec. 410. 1888, art. 23, sec. 296. 1884, ch. 316. 1892, ch. 601
1900, ch. 21. 1908, ch. 240, sec. 62.

87. Process issued by any court or justice of the peace of this State against any corporation thereof may be served on any president, director, manager, or other officer; and if none reside in this State, such corporation may be proceeded against by attachment as a non-resident, or such process may be served on any agent, or other person in the service of the corporation; provided, that in all cases mentioned in this section, the officer serving process shall leave a copy thereof with the person upon whom it is served. Every corporation of this State may be sued in any county or in the city of Baltimore, as the case may be, where its principal office is located, or where it regularly transacts business or exercises its franchises, or in any local action, where the subject matter thereof lies; and process against such corporation may be served as is hereinabove provided, and may be directed to the sheriff of any county or of the city of Baltimore, returnable to the clerk of the court out of which same issued. And whenever any corporation of this State has become surety on any bond required by law to be filed in any court thereof or with any register of wills, public board or official—suit against such corporation on such bond may be brought in the city or county where the same is filed.

Generally.

Construing together sections 409 to 412 of the code of 1904, it was held that where a foreign or domestic corporation ceased to have an agent in this state after contracting a liability to a citizen of Maryland while transacting business here, process might be served against such corporation as to such liability by service upon the president or any director or manager of the corporation to be found here. *Boggs v. Inter-American Mining Co.*, 105 Md. 385.

Although a corporation was not amenable to process under section 410 of the code of 1904, yet, having voluntarily appeared and the case having been tried on its merits, the court acquired jurisdiction. *Gemundt v. Shipley*, 98 Md. 664; *Fairfax, etc., Co. v. Chambers*, 75 Md. 614.

The return of the sheriff ought to show affirmatively upon what person or persons the process was served. Service on the attorney for a corporation is not sufficient. Waiver of service. Admission of service by attorney. *Northern Central Ry. Co. v. Rider*, 45 Md. 31; *Dugan v. Baltimore*, 70 Md. 7.

This section has no application to municipal corporations. *Phillips v. Baltimore City*, 110 Md. 437.

The word "process," as used in the act of 1832, ch. 306, section 5, was sufficiently comprehensive to apply to the service of writs of attachment on a corporation as garnishee. *Boyd v. Chesapeake, etc., Canal Co.*, 17 Md. 210.

Section 410 of the code of 1904, referred to in deciding that a turnpike company might be sued in the county where its road is located, where its operations are carried on and where it exercises its corporate powers, although its principal office is elsewhere. *Baltimore, etc., Co. v. Crowther*, 63 Md. 572.

The act of 1884, ch. 316, only had to do with the service of process. Section 410 of the code of 1904, referred to in deciding that article 75, section 147, was applicable to corporations. *Henderson v. Md. Home Ins. Co.*, 90 Md. 50.

Section 410 of the code of 1904, referred to in construing section 411 of said code—see notes to section 92. *Central, etc., R. R. Co. v. Eichberg*, 107 Md. 366; *Crook v. Girard Iron Co.*, 87 Md. 140. *Gottschalk Co. v. Distilling Co.*, 50 Fed. 681.