

before the repeal thereof, and which existed at the time of the passage of the act of 1904 hereinbefore referred to; provided, however, that as to any plaintiff or plaintiffs in any of said abated suits who shall within sixty days from the passage of this act become a party or parties to a bill in equity of the character mentioned in this section, then, as regards the operation of the statute of limitations upon the claims so sued on, the time elapsed between the institution of said abated suits and the time of such plaintiff or plaintiffs becoming a party or parties to said bill in equity, shall be excluded in ascertaining the period within which suits are required to be brought by the said statute of limitations. The costs taxable to any plaintiff or plaintiffs in any action at law which shall be abated under the provisions of this section, the plaintiff or plaintiffs in which action shall become a party or parties to a bill in equity under the provisions of this section, shall become a part of the costs taxable in the proceedings in said equity case.

The portion of this section relating to actions against stockholders instituted before its passage is constitutional and valid. Abatement of actions at law. *Practice. Miners' Bank v. Snyder*, 100 Md. 64; *Murphy v. Wheatley*, 100 Md. 366. And see *Pittsburg Steel Co. v. Baltimore Equitable Society*, 113 Md. 82. *Cf. Myers v. Knickerbocker Trust Co.*, 139 Fed. 111 (affirming 133 Fed. 764); *Knickerbocker Trust Co. v. Cremen*, 140 Fed. 973.

Cited but not construed in *Coulbourn v. Boulton*, 100 Md. 354.

See notes to sec. 65.

1904, art. 23, sec. 106. 1900, ch. 212, sec. 85 m. 1904, ch. 251.

118. Every life insurance company and accident insurance company incorporated under the laws of this State, and every safe deposit, trust, guaranty, loan and fidelity company or association, incorporated under any law of this or any other State, district or territory of the United States or any foreign country receiving money on deposit or assuming any obligation in this State, may, as the security on deposit now or hereafter required by law to be deposited with the treasurer of Maryland by laws, and especially by sections 110 and 157 of this article, transfer and assign to said treasurer such first mortgage bonds of electric railways of this State as may be approved by the board of public works, in lieu of the kinds of securities now required by law to be deposited with said treasurer; or said companies may in lieu of said securities transfer and assign to said treasurer bonds secured by a first mortgage on real estate situated in the State of Maryland and owned by the company required by law to make such deposit whenever such bonds may be approved as security by the board of public works. If at any time the board of public works shall find that the bonds approved by them have either fallen in value or have ceased to be proper security to be held by said treasurer, then the said board shall direct any company having any of said bonds on deposit with him as security as aforesaid, to either deposit an additional number of bonds with said treasurer or to withdraw the said bonds entirely and substitute bonds of a different kind in their place; if the said company or companies owning said bonds shall fail, within ten days from the receipt of a notice from the treasurer to that effect, to alter, increase the number of said bonds on