

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 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. Nothing herein shall prevent or affect the issuance of such attachments against corporations of this State as are now or may hereafter be allowed by law.

An attorney of a corporation is not an "officer," and hence a summons may not be served on him as a member of the first class enumerated in this section. If a director resides in Maryland, service should be made upon him before resorting to those mentioned in the second class. *Wash. & Rock. Rwy. Co. v. Johnson*, 127 Md. 221.

A service on a person as the agent of a corporation not professing to be on him as a director or officer, and when no copy of the process is left with such person, is improper under this section. Process may not be served by reading the writ over the telephone. Irregularities in service of process held not to have been waived by an entry of an appearance or the signing of a return; authority in this regard of director and agent. *Sharpless Separator Co. v. Brillhart*, 129 Md. 89.

As to suits and process against the Adams Express Company and other unincorporated stock companies, see article 73, section 23.

See notes to this section in volumes 1 and 3 of the Annotated Code.

1918, ch. 419, sec. 88 I.

87A.* Any unincorporated association or organization, consisting of seven or more persons and having a recognized group name, may sue or be sued by such name in any action affecting the common property, rights and liabilities of such association or organization; all process, pleadings and other papers in such action may be served on any president, director, manager, agent or person in charge of the affairs of such association or organization, and if none reside in this State such association or organization 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 association or organization, 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; such action shall have the same force and effect, as regards the common property, rights and liabilities of such association or organization only, as if it were prosecuted by or against all the members thereof, and such action shall not abate by reason of the death, resignation, removal or legal incapacity of any officer or member of such association or organization, or by reason of any change in the membership thereof. Such association or organization may be sued in any county or in the City of Balti-

*The act of 1918, chapter 419, directed that this section be numbered 88 I, but it is manifestly out of place after section 88H.