

*v. State*, use *Mahone*, 63 Md. 145; *B. & O. R. R. Co. v. State*, use *Kelly*, 24 Md. 281.

All of parties entitled need not be joined as equitable plaintiffs, nor can those who are entitled be prejudiced by joinder of some who are not entitled. *Deford v. State*, use *Keyser*, 30 Md. 208.

This section does not deprive a plaintiff of the right to sue different joint *tortfeasors* separately, although there can be but one satisfaction. There can be, however, only one suit against same defendant under this article. *State*, use *Bashe, v. Boyce*, 72 Md. 143; *Deford v. State*, use *Keyser*, 30 Md. 208.

It could scarcely be contended that an action for negligence causing death could be maintained, in view of this section, for use of an illegitimate child. Illegitimate children not entitled to workmen's compensation benefits. Legitimacy for jury; evidence; cases reviewed. *Scott v. Independent Ice Co.*, 135 Md. 350 (decided prior to act, 1920, ch. 456); *W. B. & A. Co. v. State*, use *Hall*, 136 Md. 119.

A recovery may not be had by a mother under this section for death of an illegitimate child. *State v. Hagerstown, etc., Rwy. Co.*, 139 Md. 79.

As to the liability of equitable plaintiffs for costs, see art. 24, sec. 8.

See notes to sec. 1.

An. Code, sec. 3. 1904, sec. 3. 1888, sec. 3. 1852, ch. 299, sec. 3.

3. In every such action, the equitable plaintiff on the record shall be required, together with the declaration, to deliver to the defendant or his attorney a full particular of the persons for whom and on whose behalf such action shall be brought and of the nature of the claim in respect of which damages shall be sought to be recovered.

The object of this section and effect of the particular; when it is waived. This section is not mandatory, and does not affect plaintiff's right to maintain his suit. The particular is no part of the record and is not even required to be filed, but to be delivered, etc. The failure to file particular is no ground for arrest of judgment. *Philadelphia, etc., R. R. Co. v. State*, use *Bitzer*, 58 Md. 397.

With reference to the office and effect of a particular when furnished, see also *B. & O. R. R. Co. v. State*, use *Woodward*, 41 Md. 297.

As to an amendment of particular and declaration, not warranting filing of plea of limitations, see *Western Union Tel. Co. v. State*, use *Nelson*, 82 Md. 305. See also notes to sec. 2.

For a variance between the proof, and declaration and particular, see *B. & O. R. R. Co. v. State*, use *Woodward*, 41 Md. 297.

Cited but not construed in *State*, use *Zier, v. Chesapeake Co.*, 98 Md. 37.

See notes to sec. 1.

An. Code, sec. 4. 1904, sec. 4. 1888, sec. 4. 1852, ch. 299, sec. 4.

4. The word "person" shall apply to bodies politic and corporate, and all corporations shall be responsible under this article for the wrongful acts, neglect or default of all agents employed by them.

Purpose of this section; see notes to art. 91, sec. 27. *State v. Rich*, 126 Md. 648.

This section makes the design of this article more obvious. *State*, use *Coughlan, v. B. & O. R. R. Co.*, 24 Md. 100.

Cited but not construed in *B. & O. R. R. Co. v. Smith*, 29 Md. 464.

See notes to sec. 1.