

An. Code, sec. 174. 1904, sec. 165. 1888, sec. 152. 1844, ch. 219.

189. In all cases in chancery, a rule security for costs may be laid at any time before a final decree is passed, by any defendant, against a plaintiff, non-resident at the time of filing the bill, or becoming so after the filing thereof.

Where a final decree has been passed but is subsequently rescinded and the case directed to proceed as if no decree had been entered, the rule security for costs may thereafter be laid, although an answer has already been filed. This section distinguished from art. 24, sec. 9. *Watson v. Glassie*, 95 Md. 660.

For a case involving the irregular entry of the rule security for costs on the docket; how the rule should be applied for, who may apply for it and how the right may be waived, see *Hatton v. Weems*, 12 G. & J. 84.

As to the rule security for costs at law, see art. 24, sec. 9.

An. Code, sec. 175. 1904, sec. 166. 1888, sec. 153. 1835, ch. 380, sec. 7.

190. When a court of equity shall require bond, with or without security, to be given in any case, and the parties concerned therein shall be numerous, or if it shall appear for other reasons proper, the court may take such bond in the name of the State as obligee, and the same may be sued on by any person interested, as public bonds may; and a copy, certified by the clerk of the court, under the seal thereof, shall be received in evidence, and have the same effect as certified copies of public bonds.

Suit must be brought upon a bond taken as provided in this section in the name of the state as legal plaintiff; the state, however, has no interest in the bond, and no cause of action arises until there has been a breach affecting the interest of some party legally concerned. Who can put the bond in suit, and what the declaration must show. *Le Strange v. State*, 58 Md. 39. And see *Ing v. State*, 8 Md. 295; *State v. Graver*, 115 Md. 255; *Williams v. Fidelity & Dep. Co.*, 121 Md. 226.

Suit may be brought in the name of the state under this section, without authority expressly given. *State v. Norwood*, 12 Md. 193; *State v. Graver*, 115 Md. 255.

This section referred to in deciding that the state may not, without its consent, be made an obligee in a bond in which it has no interest and which is not required by law to be executed. *State v. Graver*, 115 Md. 255.

An. Code, sec. 176. 1904, sec. 167. 1888, sec. 154. 1785, ch. 72, sec. 18.

191. Payment of the allowances to examiners, commissioners, witnesses, masters, auditors and clerks to examiners and commissioners, may be compelled by order of the court, and process of contempt for disobedience to such order may be issued as in other cases.

An. Code, sec. 177. 1904, sec. 168. 1888, sec. 155. 1832, ch. 302, sec. 6. 1874, ch. 312.

192. In all cases in the courts of equity, it shall be the duty of the said court to file their opinions for or in respect of any final decree or decretal order, whenever such decree or order shall have passed upon argument, oral or in writing, on the part of any of the parties in such cause; this section not to apply to Baltimore city.

This section referred to in deciding that where a judge of the supreme bench of Baltimore city files an opinion, it should be inserted in record, or in some way brought before court of appeals. *Title Co. v. McCulloh*, 108 Md. 53.