

As to proceedings against a defendant corporation as though it were a non-resident, if neither the president nor any of its directors, officers or agents reside in Maryland, see art. 16, sec. 135.

As to process in general, see art. 75, sec. 153, *et seq.*, and notes.

As to suits and process against the Adams Express Company and other unincorporated stock companies, see art. 73, sec. 31.

As to process against corporations in criminal cases, see art. 27, secs. 727 and 728.

As to process against fraternal orders, see art. 48A, sec. 163.

An. Code, sec. 87A. 1918, ch. 419, sec. 88I.

104. 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 Baltimore, as the case may be, where its principal office is located, or where it regularly meets or transacts business, or in a local action where the subject-matter thereof lies.

A labor union, such as the United Mine Workers of America, is suable in the federal courts and their funds subject to execution. *United Mine Workers v. Coronado Coal Co.*, 259 U. S. 386.

As to suits and process against the Adams Express Company and other unincorporated stock companies, see art. 73, sec. 31.

An. Code, sec. 88. 1908, ch. 240, sec. 63.

105. It shall be sufficient in any suit, pleading or process, either at law or in equity or before a justice of the peace against any corporation, to describe it by the name or title by which it is commonly known or by or under which its business is transacted.¹

¹Sec. 415 of the Code of 1904 referred to in deciding that articles of association of an unincorporated association like the Adams Express Company to which the members give their assent, are binding on them and will be recognized by the courts unless they are against public policy or inequitable; other questions may arise if third parties are interested. *Realty Co. v. Adams Land & Bldg. Co.*, 128 Md. 661.

Sec. 415 of the Code of 1904 plainly recognized not only the existence of a common interest, but also its representation by an organized body; the power to sue presupposes the right to acquire and possess in the same capacity the interests which a suit might protect. A gift *inter vivos* to an unincorporated association, held valid; *contra*, as to a devise or bequest. Law prior to the adoption of said

¹ Sec. 415 of the Code of 1904 was similar to this section, but applicable to *joint stock companies or associations*.