

or titling shall forthwith be sent by registered mail by the plaintiff or his attorney to the defendant and the defendant's return receipt, and the plaintiff's or his attorney's affidavit of compliance herewith shall be filed with the Clerk of the Court or before the Justice of the Peace in which the said proceedings are pending; and when a declaration, cause of action or titling in any such action shall have been filed in Court or before a Justice of the Peace and service of process made upon the Secretary of State, and notice thereof and a copy of said declaration, cause of action or titling sent to the defendant, and the defendant's return receipt, together with the affidavit of compliance, filed with the Clerk of the Court or before the Justice of the Peace as hereinabove provided, the defendant shall plead to said declaration, cause of action or titling within sixty days from the date of delivery of said notice of service and copy of the declaration, cause of action or titling noted upon said return receipt; and if the defendant shall fail to so plead, judgment by default shall be entered against him by the Court or Clerk thereof or the Justice of the Peace, upon motion in writing made by the plaintiff or his attorney, at any time thereafter, before the defendant shall have pleaded, unless the Court, or the Justice of the Peace for good reasons, shall have granted said defendant further time to plead; and upon such entry of judgment, the plaintiff may forthwith sue out his writ of inquiry, or otherwise enter up final judgment, according to the course of the court. The court, or the Justice of the Peace in which the action is pending may order such continuances as may be necessary to afford the defendant a reasonable opportunity to defend the action. The fee of \$2.00 paid by the plaintiff to the Secretary of State at the time of service shall be taxed in the costs of the proceedings and the Secretary of State shall keep a record of all such processes which shall show the day and hour of service, and he shall account for all funds so coming into his hands from such services, to the proper officer or department of this State.

Return receipt of notice signed by defendant or his agent is sufficient notice under this section. *Assurance Corp. v. Perkins*, 169 Md. 269.

Act of 1929, ch. 254, invalid on account of provisions as to notice (corrected in later act). *Grote v. Rogers*, 158 Md. 685.

Failure to give non-resident notice as provided by this and succeeding section waived by general appearance on behalf of defendant. *Wagner v. Scurlock*, 166 Md. 293.

See notes to sec. 187.

1939, ch. 372.

189. The provisions of Sections 188 and 190 of this Article shall apply in any action or proceeding against the personal representatives, executor, administrator, committee or otherwise, of a non-resident when such action or proceeding arises out of any accident or collision in which said non-resident may have been involved.

1929, ch. 254, sec. 2. 1931, ch. 70, sec. 190B. 1933, ch. 288, sec. 190B.

190. The following form of notice, to the defendant, as prescribed by Section 188 of this Article, shall be sufficient:

To....., Defendant.

You are hereby notified that suit has been filed against you by.....
, Plaintiff, in the..... Court,
 State of Maryland, or before a Justice of the Peace
 in the..... election district of..... County,
 Maryland, (or before the Justice of the Peace at large for said County or