

of which the plaintiff shall have paid money into court by way of compensation and amends shall have been added by way of amendments, the defendants shall be entitled to tax the costs which shall have accrued after said amendment only, or the plaintiff may reply that the sum paid into court is not enough to satisfy the claim of the plaintiff in respect of the matter to which the plea is pleaded, and in the event of an issue thereon being found for the defendant, the defendant shall be entitled to his costs, the same to be apportioned by the court where there are two or more causes of action joined as aforesaid, and the plaintiff shall be entitled to so much of the sum paid into court as shall be found for him.

Cited but not construed in *Hodgson v. Phippin*, 159 Md. 100.

See note to sec. 24.

An. Code, 1924, sec. 26. 1912, sec. 22. 1904, sec. 22. 1888, sec. 22. 1852, ch. 177, sec. 10.

**26.** It shall not be necessary to state the name by which land may have been patented in declarations in actions of ejectment, dower, trespass or case, but the same may be described by abuttals, course and distance by any name it may have acquired by reputation or by any other description certain enough to identify the same.

This section referred to in deciding that in an action of trespass, evidence of the name of land acquired by reputation is admissible. *Tyson v. Shueey*, 5 Md. 548; *Peters v. Tilghman*, 111 Md. 239. And as to ejectment, see *Cadwalader v. Price*, 111 Md. 315.

The plaintiff cannot abandon his locations in action of trespass, and prove by parol his possession and reputed name of land. The act of 1852, ch. 177, has not altered the law on this subject. *Clary v. Kimmell*, 18 Md. 246; *Houck v. Loveall*, 8 Md. 63. And as to ejectment, see *Budd v. Brooke*, 3 Gill, 198.

A declaration in trespass held to sufficiently identify the premises to which the suit referred. *Lapp v. Stanton*, 116 Md. 200.

See sec. 84.

An. Code, 1924, sec. 27. 1912, sec. 23. 1904, sec. 23. 1896, ch. 367, sec. 22A. 1902, ch. 449.

**27.** Whenever any insurance company or surety or bonding company of any kind whatsoever shall have a duly accredited agent in any county or city of this State resident therein and shall become obligated by its policy or other contract, express or implied, to any resident of any such county or city the said company may sue or be sued on such policies as other contracts in the same manner as if resident in such city or county, by causing process to be served on such resident agent, which shall be as effective in law and equity as if such service had been made on the president, director or directors of such company, and the judgment rendered in such case shall have the same force and effect as other judgments would or could have.

Process served upon local agent of an insurance company upheld under this section; that such agent does not notify company is immaterial. *Girard Ins. Co. v. Bankard*, 107 Md. 540.

Although process was served on secretary of company instead of as required by act of 1896, ch. 367, the court was not thereby deprived of jurisdiction, since such an infirmity must be taken advantage of by motion to quash summons. The act of 1896, ch. 367, construed. *Henderson v. Home Ins. Co.*, 90 Md. 51.

Cited but not construed in *First Natl. Bank v. Equitable Soc.*, 157 Md. 251.

As to process against corporations, see art. 23, secs. 109 and 119.

See art. 48A, sec. 172, and sec. 153 (this article).

### Forms of Pleadings.

An. Code, 1924, sec. 28. 1912, sec. 24. 1904, sec. 24. 1888, sec. 23. 1856, ch. 112, secs. 58-137. 1888, ch. 547.

**28.** The forms of pleadings which follow shall be sufficient and the like forms may be used with such modifications as may be necessary to meet