

The return of the sheriff ought to show affirmatively upon what person or persons the process was served. Service on the attorney for a corporation is not sufficient. Waiver of service. Admission of service by attorney. Northern Central Ry. Co. v. Rider, 45 Md. 31; Dugan v. Baltimore, 70 Md. 7. And see Smith Premier Co. v. Westcott, 112 Md. 150.

Generally.

Sec. 411 of the Code of 1904 was not a grant of a privilege or immunity from suit to parties otherwise liable to be sued in Maryland, but the grant of a restricted and limited jurisdiction to the courts over certain suits against foreign corporations not otherwise amenable to the jurisdiction of our courts. Purpose of this section. Cromwell v. Royal, etc., Ins. Co., 49 Md. 382. And see Carstairs v. Mechanics' Ins. Co., 13 Fed. 824.

The right of a non-resident to sue a foreign corporation in Maryland is no longer confined to cases in which the cause of action has arisen or the subject of the action is situated in this state. The act of 1908, ch. 309 did not repeal or modify this section. Hagerstown Brewing Co. v. Gates, 117 Md. 353.

Sec. 411 of the Code of 1904, held to have no application to insurance companies (see sec. 182, art. 23, An. Code, 1912—see footnote to art. 48A, this Code). Oland v. Agricultural Ins. Co., 69 Md. 249. And see Ben Franklin Ins. Co. v. Gillett, 54 Md. 215; Carstairs v. Mechanics' Ins. Co., 13 Fed. 824.

Sec. 411 of the Code of 1904 cited but not construed in B. & O. R. R. Co. v. Adams Express Co., 22 Fed. 408.

Secs. 99 to 104 of art. 75 of the Code of 1860 cited but not construed in State v. German Savings Bank, 103 Md. 202; B. & O. R. R. Co. v. Glenn, 28 Md. 320.

Cross references.

As to process upon insurance and surety companies, see art. 48A, sec. 172; also art. 75, sec. 27.

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. 142.

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

As to process against corporations in criminal cases, see art. 27, secs. 815 and 816.

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

1937, ch. 504, sec. 119.

120. (a) Every foreign corporation doing intrastate or interstate or foreign business in this State, except insurance companies and fraternal beneficiary societies, orders or associations subject to the provisions of Article 48A and except railroads operating in this State and national banks, shall have at least one resident agent in this State whose name and address, as such, have been certified to the State Tax Commission, and also a mailing address which has likewise been certified to the State Tax Commission. Each such foreign corporation shall continue to have at least one such resident agent and a mailing address so certified as long as it is subject to suit in this State. Each such resident agent shall be an individual actually residing in this State or a corporation of this State. Service of process upon any such resident agent of a foreign corporation shall bind such foreign corporation in any action in which it is subject to suit in this State. The resignation of a resident agent of a foreign corporation shall not be effective until ten days after an original counterpart thereof shall have been filed with the State Tax Commission unless at the time of such resignation such foreign corporation has one or more other resident agents.

(b) Any such foreign corporation may at any time certify to the State Tax Commission the location of a principal office in this State (which may, but need not, be a business office of the corporation); may certify to it a change in the location of such principal office; and may certify to it that it no longer has such a principal office.