

other sureties.
8 Md 348,
46 Md. 245.

the case a certificate of the comptroller stating that said judgment has been so satisfied, and said surety or sureties shall then be entitled to execution in his or their own name or names against the principal and the other sureties, in the same manner and subject to the same provisions provided in sections 47 and 48 hereof

PARTIES JOINTLY LIABLE.

Art 49, s 1
1811, c 161 s 1
How and when
heirs and repre-
sentatives
bound
44 Md. 359.

51. Where two or more persons are jointly bound by bond, promissory note, or by any other writing, whether sealed or unsealed, to pay money or do any other thing, and one or more of such persons shall die, his or their executors and heirs shall be bound in the same manner and to the same extent as if the person so dying had been bound severally as well as jointly.

1870, c 329
When defend-
ants reside in
same county,
only one suit to
be brought
4 Md 403,
14 Md. 108,
3 G & J. 66.

52. No person shall institute more than one suit on a joint and several bond, promissory note, penal, or single bill, when the persons executing the same are alive and reside in the same county, and if more suits than one be instituted on any such bond, promissory note, penal, or single bill, judgments of *non pros.* shall be entered against the plaintiff in such suits

Art 49, s 3
1825, c 167, s 2
When represen-
tative may be
sued

53. If a joint obligor be dead when the suit is brought, his representative may be sued.

Id s 4
1825, c 167, s 3
Proceedings
where defend-
ant in suit, on
joint obligation,
dies

54. If either of the obligors, against whom a joint action shall be brought, shall die pending the same, the plaintiff may suggest such death, and the court shall cause the suggestion to be entered of record, and shall direct the clerk to docket an action as of the same term in which the suggestion is entered, in the name of the plaintiff against the obligor so dying; and in such action the same proceedings shall be had to make the executor or administrator of the deceased obligor a party thereto, as if the original action had been brought separately against all the obligors.

Id s 5
1825, c 167, s 4
Where obligor
dies after judg-
ment

55. If any of the obligors against whom a joint action is brought, and judgment obtained thereon, shall die after judgment, the plaintiff may issue a *scire facias* on said judgment against the executors or administrators of the deceased defendant, and such judgment shall be had on the *scire facias* as if the judgment had been rendered in a separate action.

Id s 6
1825, c 167, s 7
Obligors resid-
ing in different
counties, how
sued.

56. If the obligors in any bond, penal, or single bill, reside in different counties, they may be sued in the counties in which they respectively reside; but all residing in the same county shall be sued in one action.

Id s 7
1825, c 167, s 8
In suit against
joint and
several obligors,
how writ may
be renewed

57. When any writ against joint and several obligors shall be returned summoned as to one or more, and *non est* as to the others, the clerk may renew the writ against those upon whom it has not been served, and upon service upon the other obligors and return thereof, the obligors may pray the court to consolidate the actions, and the court may so consolidate such actions that no delay shall be caused thereby, but judgment shall be entered against the

Actions may be
consolidated.

Judgment.