

exceeding fifteen cents, or prosecuted for any crime and acquitted on trial by jury, shall be burdened with the payment of any costs or fees accruing on such prosecution, but all such costs and fees, with the legal costs of the party accused, shall be paid by the county; and no person taken upon any warrant or capias on presentment where no bill of indictment is found, shall be liable to pay or give security for costs, but such costs shall be paid by the county. The mayor and city council of Baltimore shall not, however, be liable in any such cases tried in the criminal court of Baltimore, for the appearance fees allowed by law to the attorney of the traverser.

P. G. L., (1860,) art. 27, sec. 8. 1794, ch. 54, sec. 10. 1796, ch. 43, sec. 13.
1801, ch. 74, sec. 10.

8. Whenever any suit or action, whether in the name of the State or of an individual, shall be marked for the use of any person, the person for whose use such suit or action is marked, shall be liable for costs as if he were the legal plaintiff.

Lane's Lessee *v.* Gover, 1 H. & McH. 459. Wilson *v.* Hammitt, 1 H. & J. 141. Harris *v.* Jaffray, 3 H. & J. 543. Charlotte Hall School *v.* Greenwell, 4 G. & J. 407. State *v.* Turner, 8 G. & J. 125. Selby *et al.* *v.* Clayton, 7 Gill, 242. Groshon *v.* Thomas, 20 Md. 247. State use of Fallon *v.* Layman, 46 Md. 190,

Ibid. sec. 10. 1796, ch. 43, sec. 13. 1801, ch. 74, sec. 9.

9. The defendant in any action may, at or before the trial court, have a rule on the plaintiff to give security for the payment of the costs and charges which may be recovered against him in such action, if the plaintiff is not a resident of this State at the time the motion is made for such rule. On such rule being laid the plaintiff shall have until the second day of the next term of the court to comply therewith, and on his failure to do so he shall be non-suited.

Berry *v.* Griffith, 1 H. & G. 440. Stimmel *v.* Underwood, 3 G. & J. 285. Haney *v.* Marshall, 9 Md. 194. Spencer *v.* Trafford, 42 Md. 1. State use of Fallon *v.* Layman, 46 Md. 190.