

1888, art. 50, sec. 4. 1860, art. 49, sec. 4. 1825, ch. 167, sec. 3.

4. 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.

Ibid. sec. 5. 1860, art. 49, sec. 5. 1825, ch. 167, sec. 4.

5. 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 said *scire facias* as if the judgment had been rendered in a separate action.

Ibid. sec. 6. 1860, art. 49, sec. 6. 1825, ch. 167, sec. 7.

6. 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.

Annapolis Savings Institution v. Bannon, 68 Md. 458.

Ibid. sec. 7. 1860, art. 49, sec. 7. 1825, ch. 167, sec. 8.

7. 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 obligor last summoned at the same term as against the obligors first summoned, and in no case shall delay be occasioned by such consolidation.

Mitchell v. Smith, 4 Md. 403 Presstman v. Beach, 61 Md. 205

Ibid. sec. 8. 1860, art. 49, sec. 8. 1825, ch. 167, sec. 5.

8. Where two or more actions or obligations conditioned for the payment of any money or two or more actions on the case arising *ex contractu* by and between the same plaintiff and the