

obligation for which a third person is answerable over under this [subtitle] TITLE he may give the third person written notice of the litigation, and the person notified may then give similar notice to any other person who is answerable over to him under this [subtitle] TITLE. If the notice states that the person notified may come in and defend and that if the person notified does not do so he will in any action against him by the person giving the notice be bound by any determination of fact common to the two litigations, then unless after reasonable receipt of the notice the person notified does come in and defend he is so bound.

3-804. Lost, destroyed or stolen instruments.

The owner of an instrument which is lost, whether by destruction, theft or otherwise, may maintain an action in his own name and recover from any party liable thereon upon due proof of his ownership, the facts which prevent his production of the instrument and its terms. The court may require security indemnifying the defendant against loss by reason of further claims on the instrument.

3-805. Instruments not payable to order or to bearer.

This [subtitle] TITLE applies to any instrument whose terms do not [include] PRECLUDE transfer and which is otherwise negotiable within this [subtitle] TITLE but which is not payable to order or to bearer, except that there can be no holder in due course of such an instrument.

TITLE 4. BANK DEPOSITS AND COLLECTIONS.

SUBTITLE 1. GENERAL PROVISIONS AND DEFINITIONS.

4-101. Short title.

This [subtitle] TITLE shall be known and may be cited as MARYLAND Uniform Commercial Code—Bank Deposits and Collections.

4-102. Applicability.

(1) To the extent that items within this [subtitle] TITLE are also within the scope of [subtitles] TITLES 3 and 8, they are subject to the provisions of those [subtitles] TITLES. In the event of conflict the provisions of this [subtitle] TITLE govern those of [subtitle] TITLE 3 but the provisions of [subtitle] TITLE 8 govern those of this [subtitle] TITLE.

(2) The liability of a bank for action or