

THE ABSENCE OF AN INSTRUMENT DESCRIBED IN SUBSECTION (A) OF THIS SECTION MUST BE SUFFICIENTLY ACCOUNTED FOR UNDER THE RULES OF EVIDENCE TO ALLOW THE INTRODUCTION OF SECONDARY PROOF OF THE CONTENTS OF THE INSTRUMENT AT THE TRIAL.

(C) BOND REQUIRED.

(1) A JUDGMENT MAY NOT BE ENTERED FOR THE PLAINTIFF IN A SUIT DESCRIBED IN SUBSECTION (A) OF THIS SECTION UNTIL A SUFFICIENT BOND HAS BEEN FILED IN THE SUIT BY THE PLAINTIFF.

(2) THE BOND SHALL PROVIDE FOR THE PENALTY AND SURETY APPROVED BY THE COURT, AND CONDITIONED ON HOLDING THE DEFENDANT HARMLESS ON SATISFACTION OF THE JUDGMENT BY THE DEFENDANT AS IF THE MISSING INSTRUMENT WERE THEN PRODUCED AND SURRENDERED TO THE DEFENDANT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 75, § 4.

11-103. SUITS AGAINST JOINT DEBTORS.

IN A CONTRACT ACTION BROUGHT AGAINST ALLEGED JOINT DEBTORS:

(1) THE PLAINTIFF NEED NOT PROVE THEIR JOINT LIABILITY AS ALLEGED IN ORDER TO MAINTAIN THE ACTION;

(2) THE PLAINTIFF MAY RECOVER AS IN ACTIONS IN TORT AGAINST ONE OR MORE OF THE DEFENDANTS WHO ARE SHOWN BY THE EVIDENCE TO BE INDEBTED TO THE PLAINTIFF; AND

(3) JUDGMENT SHALL BE ENTERED IN THE PLAINTIFF'S FAVOR AGAINST ONE OR MORE OF THE DEFENDANTS AS FULLY AS IF THE DEFENDANT OR DEFENDANTS AGAINST WHOM THE PLAINTIFF FAILS TO ESTABLISH A CLAIM HAD NOT BEEN JOINED IN THE SUIT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 50, § 8.

11-111. ORDER OF EXECUTION OF DEED.

(A) EXECUTION OF DEED.

IF A COURT ORDERS THAT A DEED OF ANY KIND SHALL BE EXECUTED, IT MAY APPOINT A TRUSTEE TO EXECUTE THE DEED.

(B) EFFECT OF DECREE.

UNTIL THE TRUSTEE EXECUTES A DEED, THE DECREE:

(1) IF PASSED IN THE COUNTY WHERE THE LAND LIES, HAS THE SAME EFFECT AS AN EXECUTED DEED; AND