

The right to insist upon a compliance with the rule for that term, may be waived by an agreement that the case shall be continued. How the rule may be complied with. *State v. McCarty*, 60 Md. 375.

Where plaintiff, after a motion for non-suit for non-compliance but before court acts on motion, deposits security for costs, he will not be non-suited. *Heinekamp v. Beatty*, 74 Md. 391.

Court of appeals will not lay plaintiff, who has moved out of state since the appeal, under rule security for costs. *Berry v. Griffith*, 1 H. & G. 440.

Under what circumstances, and at what stage of the case, the plaintiff may be required to give security for costs. *Mayer v. Tyson*, 1 Bl. 562.

As to the rule security for costs in equity, see art. 16, sec. 195.

An. Code, 1924, sec. 10. 1912, sec. 10. 1906, ch. 271. 1908, ch. 510.

10. When in any action or proceeding at law or in equity or in any proceeding before an orphans' court a bond is required to be filed and the surety upon such bond so filed is a surety company authorized by the laws of this State to qualify upon such bonds, then the party entitled to recover or be allowed his costs in said action or proceeding at law or in equity or in any proceeding before an orphans' court may have included as his costs such reasonable sum as may have been paid by him to such surety company for executing such bond or any renewal thereof or substitution for the same, during the continuance of the trusts; and all executors, administrators, trustees, receivers, committees, guardians or other fiduciaries who file such bonds shall be entitled to collect the reasonable costs of the premium or premiums thereon and be allowed the same from the funds and assets in their hands.

Surety on appeal bond liable for premiums paid by plaintiff for attachment bond and renewal, such premiums having been determined to be part of costs. *Amer. Surety Co. v. Kitzmiller*, 144 Md. 167.

As to "sureties," see art. 90.