

to make up their verdict, or before judgment given on demurrer, as the case may be, and the court may grant such continuances, and may award such costs against the party making the amendment as may be deemed just and reasonable.

29. In amendments for non-joinder or misjoinder entire new parties, either plaintiffs or defendants, cannot be introduced, but some one of the original plaintiffs and some one of the original defendants must remain parties to the action, and in no case of amendment can entire new parties, either plaintiffs or defendants, be made.

30. Where an heir at law or devisee has been omitted as a defendant, the plaintiff may amend by making such heir or devisee a party, and such proceedings shall be had as will produce a fair trial.

31. Nothing in the preceding sections of this article relating to amendments, shall affect any plea of limitations, in abatement, to the jurisdiction or other dilatory plea.

32. Where an amendment is allowed after the jury is sworn, and the court shall consider a continuance necessary to a fair trial of the cause, a juror shall be withdrawn, but if the court considers that a continuance is not necessary to a fair administration of justice, the jury may proceed and try the case after the amendment.

33. In all cases of amendment, the allowance of costs shall be in the discretion of the court.

34. No cause shall be continued beyond the second term after process has been served on the defendant, unless by consent of parties, or upon good cause shown by the party asking the continuance.

35. Upon suggestion, supported by the affidavit of the party or some other credible person, that the evidence of a witness is wanting who resides in some place beyond the limits of this State, or the evidence of a witness residing within this State, the court shall continue the cause for such time as may be deemed necessary to enable the party to procure the attendance or obtain the testimony of such absent witness; *Provided*, the party applying