

18. Each commissioner appointed by the court shall be entitled to two dollars per day for each day he shall attend in the execution of the commission; any person acting as surveyor shall receive such per diem allowance as shall be adjudged by the commissioners, not exceeding four dollars per day; each chain carrier shall receive seventy-five cents, and each witness fifty cents for each day they shall respectively attend, to be paid by the person at whose request the service shall be performed, and if necessary, attachment of contempt shall be issued by the court issuing the commission to compel such payment.

ARTICLE XVI.

Chancery.

ABATEMENT AND REVIVOR.

SEC. 1. No suit in chancery shall abate by the death of any of the parties in cases where the rights involved in the suit survive.

2. If any of the parties to a suit in chancery, whether complainant or defendant, shall die after the filing of the bill or petition, it shall not be necessary to file a bill of revivor; but any of the surviving parties may file a suggestion of such death, setting forth when the death occurred, and who is the legal representative of such deceased party, and how he is representative, whether by devise, descent, or otherwise.

3. Upon such suggestion, a subpoena shall issue for the legal representative of the deceased party, commanding him to appear and be made a party to such suit, if such representative reside in this State; and if such representative is a non-resident, then such notice shall be given, instead of the subpoena, as is provided for non-resident defendants.

4. Any representative of a deceased party may appear and suggest in writing the death of the party under whom he claims, and be made a party in place of the person so dying, and proceed with the suit, on giving such notice to the opposite party as the court may direct.