

proper, the court may take such bond in the name of the State as obligee, and the same may be sued on by any person interested as public bonds may, and a copy, certified by the clerk of the court, under the seal thereof, shall be received in evidence, to the same effect as certified copies of public bonds.

109. Payment of the allowances to commissioners, witnesses, auditors and clerks to commissioners, may be compelled by order of the court, and process of contempt for disobedience to such order may be issued as in other cases.

110. In all causes in the courts of equity, it shall be the duty of the said court to file their opinions for or in respect of any final decree or decretal order, whenever such decree or order shall have passed upon argument, oral or in writing, on the part of any of the parties in such cause.

111. It shall not be necessary in any case for the foreclosure or sale of mortgaged property, to make the heirs of the mortgagee parties to the same, but any decree upon any bill for foreclosure or sale aforesaid filed by the executor or administrator of the mortgagee, shall have the same effect as if the said heirs were parties.

112. If any defendant, after appearance and before he puts in a sufficient answer, shall leave the State, or if any non-resident defendant appears and does not put in a sufficient answer, the court may order such defendant to answer by a particular day, and upon his failure to comply with such order, the bill may be taken pro confesso against such defendant, or a commission ex parte may be issued, in the discretion of the court.

113. Under any bill of review, or other proceedings to set aside or reverse any order or decree passed in any case in which any infant or person non compos mentis was interested, on the ground that no testimony was taken to prove the allegations in the bill or petition filed in such case, or that no replication was put in, it shall be lawful for the person interested to supply said proof and pleas, in the same manner as the same could have been furnished under such original bill or petition.

114. In deciding on exceptions to answers, the court may award the costs of the exception and the order thereon to the party prevailing, including a fee to the solicitor or attorney.