

been summoned, and no cause having been shewn, it is therefore *Ordered*, that the said decree stand revived to all intents and purposes whatever in favour of the said *Sarah Allen*, administratrix with the will annexed of the said late *Richard Allen*, against the said defendants *Micajah Burke*, *Elizabeth Burke*. and *William Comegys*, as prayed by the petition of the said *Sarah*.

GRIFFITH v. BRONAUGH.

The act of 1820, ch. 161, only gives a new mode of proceeding in certain cases in place of a *proper* bill of revivor.

After a decree to account, or a final decree a *defendant* may revive the suit; but in general he cannot revive it in any other case.

In an injunction case, it may be ordered, on petition of the defendant, that the representatives of the late plaintiff, on a copy of the order being served on them, proceed to revive the suit on or before a certain day, or that the injunction be dissolved. If such representatives are numerous, widely dispersed, unknown or nonresidents, it will be sufficient to have it entered on the docket, that they come in and revive before the end of the then next term.

This bill was filed on the 3d of July 1820, by *Samuel G. Griffith* against *John W. Bronaugh*, to obtain an injunction to stay proceedings at law on a judgment recovered by the defendant, *Bronaugh*, against the plaintiff, *Griffith*. The injunction was granted as prayed. After which, in December 1820, the plaintiff, *Samuel*, died intestate, and administration was granted on his personal estate to *Luke Griffith* of Harford county: upon which the defendant by his petition, filed on the 17th of November 1821, prayed, that he might be made a party, &c.; and it was ordered, that he be summoned accordingly. Afterwards, *Luke Griffith* not having appeared, the defendant, by his petition filed on the 11th February 1829, prayed, that *Luke Griffith* might be ordered to appear and cause this suit to be revived, or that the injunction be dissolved.

13th February, 1829.—BLAND, Chancellor.—It appears, that this defendant, by his petition of the 17th of November 1821, suggested the death of the plaintiff, and prayed that his administrator might be made a party, evidently with a view to have the suit