

him, may, on proof of that fact to the satisfaction of the court, be proceeded against as if he were a non-resident defendant.

Cited but not construed in *Buckingham v. Peddicord*, 2 Bl. 453.

1904. art. 16, sec. 11. 1888, art. 16, sec. 11. 1860, art. 16, sec. 11. 1820, ch. 161, sec. 5.

11. In all cases where any of the parties to a suit may die, and any party to such suit or representative of a deceased party shall leave the State before the process or notice which such death may render necessary is served on him, he may be proceeded against as if he were a non-resident defendant.

Ibid. sec. 12. 1888, art. 16, sec. 12. 1860, art. 16, sec. 12. 1799, ch. 79, sec. 3. 1820, ch. 161, sec. 5.

12. A bill of revivor or supplemental bill in the nature of a bill of revivor may be filed instead of a suggestion of the death of the party, and notice thereof shall be given to the party against whom the same may be filed, if a resident of this State, by subpoena, or service of a copy of such bill of revivor or supplemental bill, as the court may direct; or if the party be a non-resident, or secrete himself, or evade the service of the summons or copy, or if the residence of the party be unknown, then notice by publication may be given as against non-resident defendants.

This section shows that sections 1. 2 and 209 do not abrogate the mode of reviving a suit by bill of revivor. *Sinclair v. Auxiliary Realty Co.*, 99 Md. 232. And see *Hall v. Hall*, 1 Bl. 130.

Cited but not construed in *Neale v. Hagthrop*, 3 Bl. 573.

See notes to sec. 1.

Ibid. sec. 13. 1888, art. 16, sec. 13. 1860, art. 16, sec. 13. 1831, ch. 311, sec. 14. 1843, ch. 40.

13. No suit in equity shall abate by the marriage of any of the parties, but on application of any of the parties the court may, on such terms and notice as it shall deem proper, allow and order any amendment in the pleadings, and the making of any new or additional parties that such marriage may render necessary or proper.

Cited but not construed in *Hall v. Hall*, 1 Bl. 132, note (e).

Alimony.

Ibid. sec. 14. 1888, art. 16, sec. 14. 1860, art. 16, sec. 14. 1777, ch. 12, sec. 14.

14. The courts of equity of this State shall and may hear and determine all causes for alimony, in as full and ample manner as such causes could be heard and determined by the laws of England in the ecclesiastical courts there.

*To give jurisdiction under this section, one of the parties must be domiciled in Maryland. The fact that the husband has property in this state is immaterial. Definition and nature of alimony. *Keerl v. Keerl*, 34 Md. 25; *Wallingford v. Wallingsford*, 6 H. & J. 488. (Both cases decided prior to the adoption of section 16).

*No attempt is here made to collect or annotate the cases dealing with under what circumstances alimony will be allowed—see *Brantly's Digest*.