

second, if by any other person, his affidavit or affirmation thereof made and signed before a notary public and certified by him; third, the written admission of the defendant proved to the satisfaction of the court; and such certificate, affidavit, affirmation or admission shall state the time and place of service. And any person making a false affidavit or affirmation as to any such service shall be guilty of perjury, and any sheriff making a false certificate as to the service of any such notice shall be liable for making a false return.

Theory of notice by publication. Strict compliance with the requirements of the statute are required, but questions of whether the non-resident saw the notice, or was able to respond to it, are immaterial. *Dorsey v. Dorsey*, 30 Md. 534; *Dorsey v. Thompson*, 37 Md. 44. Cf. *Johnson v. Robertson*, 34 Md. 173.

Proof that the notice required by this section was given, held insufficient, and a recital of the decree that the order of publication "had been duly published," held not to cure the defect. *Johnson v. Robertson*, 31 Md. 488.

An order of publication on a bill to redeem a ground rent, held to substantially describe the property. *Hollander v. Central Metal Co.*, 109 Md. 149.

Where the order of publication was only published for three weeks, instead of one month (as provided by the act of 1842, ch. 229), the decree was reversed. *Central Bank v. Copeland*, 18 Md. 320.

The act of 1896, ch. 38 (providing a method of service in lieu of an order of publication), does not give equity courts jurisdiction of non-residents in actions *in personam*. *Fisher v. Parr*, 92 Md. 272.

The act of 1896, ch. 38 (providing a method of service in lieu of an order of publication), applied. *Chappell v. Clarke*, 94 Md. 182.

For a case dealing with the act of 1799, ch. 79, section 1, see *Burd v. Greenleaf*, 1 Bl. 557.

Cited but not construed in *Neale v. Hagthorp*, 3 Bl. 573; *Buckingham v. Peddicord*, 2 Bl. 457; *Contee v. Dawson*, 2 Bl. 306.

See notes to sec. 131.

As to the issue of orders of publication by the clerks of the courts having jurisdiction, see art. 17, sec. 34.

1904, art. 16, sec. 128. 1888, art. 16, sec. 115. 1884, ch. 268.

136. Upon application for a renewal of a lease containing a covenant for renewal, where any person or persons interested in the reversion reserved in said lease, and who should be the party or parties to the proceedings, is or are unknown, it shall be sufficient to substantially describe such unknown person or persons in the bill as the unknown person or persons interested in said reversion, by, through or under the original lessor or lessors, naming him or them; and the court shall order notice by publication to be given to such unknown person or persons, according to his or their description in the bill, and the same proceedings shall be had against such unknown person or persons as are had against non-resident defendants named in a bill in chancery; and any decree which may be passed shall have the same effect against such unknown person or persons, whether claiming by descent, purchase or in any other manner, and against his or their heirs, executors or administrators and assigns, as if such unknown person or persons had been made a defendant or defendants by name in said bill.

See art. 16, sec. 108; also art. 21, sec. 94.