

LIEN OF STATE'S SUIT.

1878, c 287
All lands of
debtor to State
bound from the
issue of the
writ.
34 Md 345,
1 H & J 546;
1 Bl 443, 503,
3 Bl 540

Exception.

30. All lands and tenements belonging to any person indebted to this State, after the commencement of a suit therefor against him, shall be liable to execution on any judgment or decree which may be rendered against him in such suit, in whosoever hands or possession the said lands or tenements may be found; but where the debtor hath granted or may hereafter grant any road, way, or easement in or over any lands liable as aforesaid the rights accruing through or by such grant, shall not be affected by the preceding provisions of this section, *provided*, however, that all existing rights of the State now vested shall not be in any way diminished or released, except as herein provided.

IN PRIVILEGE.

Art 29, s 3
1805, c 65, s 51
Privilege
13 Md 59,
4 H & McH 295

31. No person shall sue or be sued in privilege.

ABATEMENT.

Art 2, s 1.
1785, c 80, s 1,
1787, c 9, s 7,
1801, c 74, s 38,
1815, c 149, s 3,
1849, c 517, s 1
What actions at
law shall not
abate by death
of parties
thereto
1 Md 107, 31
Md 199, 9 Gill
97, 3 G. & J. 1,
2 H. & J. 37, 435,
7 H. & J. 134.

ow new de-
ndants made

32. No action of ejectment, waste, partition, dower, replevin, or any personal action, including appeals from judgments rendered by justices of the peace, in any court of law in this State, shall abate by the death of either or any of the parties to such action, but upon the death of any defendant the action shall be continued, and the heir or executor of the defendant, or other person interested on the part of the defendant, may appear to such action, and in case the proper person to defend doth not appear at the court at which the death is suggested, the plaintiff may issue a summons returnable to the next court, directed to the proper person to defend such action, and upon such summons being served, the person summoned shall appear; this not to apply to actions for slander, or for injuries to the person.

Id s 2
1785, c 80, s 1
Proceedings on
failure of new
defendant to
appear

33. If such person shall fail to appear upon being summoned as aforesaid, the court shall issue an attachment of contempt against such person, and compel him to appear to such action; and if any person, being summoned as aforesaid, shall refuse or neglect to appear to such action by the fourth day of the court next after the court to which such person may be summoned to appear, then the court may cause the appearance of such person to be entered, and there shall be the same proceedings therein as if such person had voluntarily appeared, and all the proceedings had before the death of the party shall be considered as proceedings in the action, and such further proceedings shall be had to bring the cause fairly to trial as the court may deem proper.

Id s 3
1785, c 80, s 1
Who made par-
ties on death of
plaintiff.
5 Md 433, 39
Md 19,
8 Oranch 85,
3 G. & J. 75,
11 G. & J. 405

34. If the plaintiff in any action mentioned herein shall die before judgment is given, the heir, executor, or other proper person to prosecute such action may appear and prosecute the same, but if such person does not appear to prosecute such action at the court at which the death is suggested, then the defendant may issue a sum-