

Heir, etc., may appear before execution of decree

provided, that the heir or other proper representative may appear at any time before execution of said decree, and be admitted a party to the suit, on such reasonable terms as the court may prescribe, and such further proceedings may be had as may be necessary to a decision of said cause on its merits.

Id. s. 9
1820, c. 161, s. 6
Failure of representative of deceased party to appear

Order of court.

Id. s. 10
1797, c. 114, s. 3,
1828, c. 184
Where representative of deceased party secretes himself or evades service of process

Id. s. 11
1820, c. 161, s. 5.
Where representative of deceased party leaves the State before process or notice

Id. s. 12
1799, c. 79, s. 3,
1820, c. 161, s. 6
Proceeding by bill of revivor, etc

Id. s. 13
1831, c. 311, s. 14,
1843, c. 40
Suit in equity not to abate by marriage
4 Md. Chan
Dec 364

Art 16, s. 88
1773, c. 7, s. 3,
1785, c. 72, s. 30,
1787, c. 30, s. 1,
1789, c. 46, 1795,
c. 88, s. 1, 1799,
c. 79, s. 1, 1818,
c. 193, s. 11, 1842,
c. 206, s. 2
Notice in equity to non-residents
30 Md. 523, 31
Md. 488, 34 Md.
186, 37 Md. 25,
3 Bl. 428, 10 G.
& J. 480

Decree *pro confesso*
Commission *ex parte*.

20. If any representative of a deceased party shall fail to appear after being summoned, within four days after the return day of the subpoena, or shall fail to appear after notice by publication, the court may order the appearance of such representative to be entered, to have the same effect as if such representative had appeared in person and been made a party.

21. Any representative of a deceased party who shall secrete himself, or in any manner evade the service of any process issued against him, may, on proof of that fact to the satisfaction of the court, be proceeded against as if he were a non-resident defendant.

22. In all cases where any of the parties to a suit may die, and any one proper to be a party to such suit as a 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.

23. A bill of revivor or supplementary bill in 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.

24. 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.

NON-RESIDENT AND UNKNOWN DEFENDANTS.

25. If in any suit in chancery, by bill or petition, respecting in any manner the sale, partition, conveyance, or transfer of any real or personal property lying or being in this State, or to foreclose any mortgage thereon, or to enforce any contract or lien relating to the same, or concerning any use, trust, or other interest therein, any or all of the defendants are non-residents, the court in which such suit is pending may order notice to be given to such non-residents of the substance and object of such bill or petition, and warning them to appear by a day therein stated, and, if such non-residents shall not appear at the time stated in such notice, the bill or petition may be taken *pro confesso*, or a commission to take testimony may be issued *ex parte*, and such decree passed as may be just and equitable.