

- CHAP. 22.** may order the cause to be proceeded in as if no such death had occurred, or required a bill of revivor or supplemental bill, in nature of a bill of revivor, to be filed against the proper representative of the deceased party, as may seem best calculated to advance the purposes of justice; [provided nevertheless, that in any case, if any heir, devisee or other proper representative of the deceased party, as may seem best calculated to advance the purposes of justice;] provided nevertheless, that in any case, if any heir, devisee or other proper representative of the deceased party, shall appear in court, in person or by solicitor, at any time before a final decree shall be passed, and pray to be made a party to the suit, the court shall pass an order admitting such person as a party to the suit, upon such terms as may appear reasonable; and thereupon, such new party shall be at liberty, subject nevertheless, to the terms which may be imposed on him, as before stated, to file an answer to the original bill, in which he may insist on such defences, and none other, as might have been made in case a bill of revivor or supplemental bill, in nature of a bill of revivor, had been filed against him; and such other proceedings may thereon be had, as may be necessary to bring the cause to a hearing, on its merits, against the said defendant.
- Bill of revivor may be filed** may order the cause to be proceeded in as if no such death had occurred, or required a bill of revivor or supplemental bill, in nature of a bill of revivor, to be filed against the proper representative of the deceased party, as may seem best calculated to advance the purposes of justice; [provided nevertheless, that in any case, if any heir, devisee or other proper representative of the deceased party, as may seem best calculated to advance the purposes of justice;] provided nevertheless, that in any case, if any heir, devisee or other proper representative of the deceased party, shall appear in court, in person or by solicitor, at any time before a final decree shall be passed, and pray to be made a party to the suit, the court shall pass an order admitting such person as a party to the suit, upon such terms as may appear reasonable; and thereupon, such new party shall be at liberty, subject nevertheless, to the terms which may be imposed on him, as before stated, to file an answer to the original bill, in which he may insist on such defences, and none other, as might have been made in case a bill of revivor or supplemental bill, in nature of a bill of revivor, had been filed against him; and such other proceedings may thereon be had, as may be necessary to bring the cause to a hearing, on its merits, against the said defendant.
- If any heir, &c. appear in court and pray to be made a party to suit, &c.** may order the cause to be proceeded in as if no such death had occurred, or required a bill of revivor or supplemental bill, in nature of a bill of revivor, to be filed against the proper representative of the deceased party, as may seem best calculated to advance the purposes of justice; [provided nevertheless, that in any case, if any heir, devisee or other proper representative of the deceased party, as may seem best calculated to advance the purposes of justice;] provided nevertheless, that in any case, if any heir, devisee or other proper representative of the deceased party, shall appear in court, in person or by solicitor, at any time before a final decree shall be passed, and pray to be made a party to the suit, the court shall pass an order admitting such person as a party to the suit, upon such terms as may appear reasonable; and thereupon, such new party shall be at liberty, subject nevertheless, to the terms which may be imposed on him, as before stated, to file an answer to the original bill, in which he may insist on such defences, and none other, as might have been made in case a bill of revivor or supplemental bill, in nature of a bill of revivor, had been filed against him; and such other proceedings may thereon be had, as may be necessary to bring the cause to a hearing, on its merits, against the said defendant.
- May file answer to original bill** may order the cause to be proceeded in as if no such death had occurred, or required a bill of revivor or supplemental bill, in nature of a bill of revivor, to be filed against the proper representative of the deceased party, as may seem best calculated to advance the purposes of justice; [provided nevertheless, that in any case, if any heir, devisee or other proper representative of the deceased party, as may seem best calculated to advance the purposes of justice;] provided nevertheless, that in any case, if any heir, devisee or other proper representative of the deceased party, shall appear in court, in person or by solicitor, at any time before a final decree shall be passed, and pray to be made a party to the suit, the court shall pass an order admitting such person as a party to the suit, upon such terms as may appear reasonable; and thereupon, such new party shall be at liberty, subject nevertheless, to the terms which may be imposed on him, as before stated, to file an answer to the original bill, in which he may insist on such defences, and none other, as might have been made in case a bill of revivor or supplemental bill, in nature of a bill of revivor, had been filed against him; and such other proceedings may thereon be had, as may be necessary to bring the cause to a hearing, on its merits, against the said defendant.
- Court may order execution of decree, &c.** **SEC. 2. And be it enacted,** That a final decree shall not necessarily abate, by the suggestion of the death of any one of the parties thereto, but in such case the court may order execution to be made of such decree, as if no such death had occurred, or require a subpoena, scire facias to be issued, or a bill of revivor or supplemental bill, in nature of a bill, in nature of a bill of revivor, to be filed against the proper representative of the deceased party, or pass such other order, or direct such other proceedings as may seem best calculated to advance the purposes of justice; provided nevertheless, that the heir, devisee or other proper representative of such deceased party, shall appear in court, in person or by solicitor, at any time before execution of said decree, and pray to be made a party to the suit, the said shall pass an order admitting the said person as a party to the suit, upon such terms as may appear reasonable; and such further proceedings may thereupon be had, as may be necessary, to bring the cause to a final decision and conclusion, on its merits, against the said party.
- Proviso** may order the cause to be proceeded in as if no such death had occurred, or required a bill of revivor or supplemental bill, in nature of a bill of revivor, to be filed against the proper representative of the deceased party, as may seem best calculated to advance the purposes of justice; [provided nevertheless, that in any case, if any heir, devisee or other proper representative of the deceased party, as may seem best calculated to advance the purposes of justice;] provided nevertheless, that in any case, if any heir, devisee or other proper representative of the deceased party, shall appear in court, in person or by solicitor, at any time before a final decree shall be passed, and pray to be made a party to the suit, the court shall pass an order admitting such person as a party to the suit, upon such terms as may appear reasonable; and thereupon, such new party shall be at liberty, subject nevertheless, to the terms which may be imposed on him, as before stated, to file an answer to the original bill, in which he may insist on such defences, and none other, as might have been made in case a bill of revivor or supplemental bill, in nature of a bill of revivor, had been filed against him; and such other proceedings may thereon be had, as may be necessary to bring the cause to a hearing, on its merits, against the said defendant.
- Complainant to have process of subpoena** **SEC. 3. And be it enacted,** That on the filing of any bill of revivor or supplemental bill, in nature of a bill of revivor, against any defendant, whether adult or infant, the