

Sec.

Chap. Sec.

1
2
3
4

defendant, &c. court may order notice to such by publication, &c. upon failure to appear &c. decree to be passed as circumstances of the case may require, but in all cases when such non-resident is *non compos*, no decree to pass unless allegation be proved under commission to be issued, &c. and in all cases of *non compos*, non-resident defendants, the court at the time of issuing commission to assign a solicitor to cross examine witnesses solicitor to be paid by plaintiff or out of the estate of defendant at the discretion of the court.

206 1

5

6
7

Notice by publication to be given in all cases when it is ascertained, whether the person who ought to be a party be living or dead, &c. description of person to be given of heirs left, &c.

" 2

8
9

10

11

12

13

14

15

In any suit in, where there are several defendants, suit not necessarily to abate by the death of one or more, &c. against whom decree for account, &c. shall have been passed or other proceedings had as would have warranted such decree, &c. court may order the case to be proceeded in as if no such death had occurred, &c. or require a bill of revivor, &c. provided if any heir, &c. shall appear before final decree and pray to be made a party, the court may pass an order admitting such person, &c. subject to the terms imposed, &c.

229 1

1

2

3

4

Final decree shall not abate by the suggestion of the death of any one of the parties, court in such case may order execution of such as if no death had occurred, &c.

" 2

On filing bill of revivor, &c. complainant may have process of subpoena against defendant or an order of publication, &c. on return of subpoena "summoned" or upon *non est* returned to two writs, &c. or upon proof of notice, &c. and upon failure of defendant to appear and answer, &c. court may order said suit to be revived, &c.

" 3

In all suits, &c. not less than three months notice, &c.

" 4

In all cases when the court has passed order of publication and the same to be valid