

# Supplement to the Maryland Code.

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## PUBLIC GENERAL LAWS.

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### ARTICLE II.

#### *Abatement.*

The Act of 1862, ch. 167, adds the following section:

SEC. 1. In any cause in which one, or more appellants or appellees, plaintiffs or defendants, in error, shall have died, or shall die after appeal taken, or writ of error sued out, and before final judgment upon such appeal or writ of error in the Court of Appeals, and the executor of such party, or his administrator, shall have failed, or shall fail to appear in the Court of Appeals, and to suggest such death, and judgment has been or shall be given, as if the said party so deceased was alive, then, and in such event, it shall and may be lawful for any surviving party to such appeal, or writ of error so adjudged as aforesaid, to suggest in the Court of Appeals, the death of the said party to the said appeal, or writ of error, prior to the entering up of the judgment in the said court, and to shew to the Court of Appeals, who is the executor, or administrator of the deceased party, and in that event, it shall be competent for the said Court of Appeals, to order execution to issue in the said cause to the same extent, and in the same manner, as if the said executor, or administrator had suggested the death of the person so dying as aforesaid, and had appeared to prosecute or defend said writ of error or appeal.