

# Supplement to the Maryland Code.

---

## PUBLIC GENERAL LAWS.

---

### ARTICLE II.

#### Abatement.

13. Power of court of appeals on death of parties after appeal taken, before judgment and no suggestion of death by exr. &c. Execution against exr. &c.

1862, c. 167 adds to this article the following section :

SEC. 13. 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

1862, c. 167.

Death of parties after appeal taken, before judgment and no suggestion of death by exr. &c.