

CHAPTER 305.

* 1835, ch. 201. A further SUPPLEMENT to an ACT,* entitled, an Act to establish Magistrates' Courts in the several Counties of this State, and prescribe their Jurisdiction.

Authorized to summons witnesses in different counties. SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That from and after the passage of this act it shall and may be lawful for the several district courts, established by the original act to which this is a supplement, to issue summons for witnesses residing in different counties, to testify on trials to be had before such courts, which summons shall be directed to a constable residing in the district where such courts are held, and returned to the court before which the trial is to be had.

By constables in the district.

Attachment for non-attendance. SEC. 2. *And be it enacted,* That all witnesses summoned as aforesaid shall, in case of non-attendance, be liable to attachment and fine in like manner as if such witness resided in the county where such trial is had.

Either party may appeal from trial by a single justice. SEC. 3. *And be it enacted,* That in all cases hereafter tried before single justices of the peace, either party shall be allowed an appeal to the county court or district court of the district in which any such cases may be tried, where they shall be tried de novo, and all such appeals shall be taken in such manner, and subject to the like provisions with cases of appeals to the county courts of this state, from judgments of justices of the peace.

De novo.

But costs first to be paid. SEC. 4. *And be it enacted,* That whenever an appeal shall be demanded from the judgment of the district court, the appeal may be refused if the party demanding the appeal does not first tender the costs to the court, which have accrued on the judgment from which an appeal is demanded.

Compensation of associate justice when presiding. SEC. 5. *And be it enacted,* That whenever from any cause any one of the associate justices shall preside at the holding of any district court, he shall be entitled to the per diem now allowed by law to the presiding justice of said court.

Relative to appearances. SEC. 6. *And be it enacted,* That in all cases pending before the said district courts, the parties may appear either in proper person, by attorney, or by agent, and the name of any person entered upon the docket of the presiding justice, at the request of either party, or who shall be named by either party, in open court, or who shall exhibit a request in writing from either party for that purpose, shall entitle such person to appear to defend or prosecute any action pending in said courts in the name of the party for whom he may so appear.

Case of sale of real estate—process of.

SEC. 7. *And be it enacted,* That it shall be the duty of the chief justices of the several district courts of this state, in all and every case in which real estate may have heretofore been sold, or may hereafter be sold by virtue of any process issued by the said courts, to place in the hands of the clerks of the