

refusal to act, another in his stead nominate and appoint, who shall have the same power, and authority; and the chancellor may nominate and appoint, at the request of the parties, a special messenger for the purpose of serving, executing and carrying into effect, any particular process, order or decree of the said court; and the said special messenger, upon being qualified according to law, shall have the same power and authority, and be entitled to the same fees, as hereby are given to the standing messenger herein first mentioned; and the said messenger shall have and receive of and from the party or parties against whom such process, orders, or decrees, shall be made and issued, as a fee for the performance of his duty therein, the sum of ten shillings current money for serving any process, order or decree, and a sum, in the discretion of the chancellor, not exceeding one shilling per mile for every mile he shall travel in going to serve such process, order or decree, and returning, and also any money by him paid for ferriages; and if the said fee shall not be paid upon demand, the said messenger shall have an attachment of contempt to compel the payment thereof, against the person or persons refusing to pay the said fees, who, being brought into court upon an attachment, shall and may be committed until the same and the costs are paid to the said messenger, and also the fine for contempt; or fieri facias, or capias ad satisfaciendum, may issue as aforesaid for such fees.

SEC. 33. *And be it enacted*, That the chancellor shall have full power and authority to commit any person or persons in contempt for not obeying or complying with any rule, order or decree, of the chancellor, to the custody of the messenger, by him to be closely confined in the gaol of Anne Arundel county, or in the gaol of the county of which such person shall be an inhabitant, or where he may be taken, unless he be the sheriff of the county, in which case he may be confined in the gaol of Anne Arundel county, or the gaol of any county adjoining the county of which he shall be sheriff, until such person or persons respectively be released and discharged by order of the chancellor.

May com-
mit persons
in contempt
&c.

SEC. 34. *And be it enacted*, That in all cases now depending in the high court of chancery, as well as in those which may hereafter be brought into the said court, the chancellor may make and execute any order or decree in pursuance of the power and authority herein and hereby conferred; *provided*, nothing herein contained shall be taken or construed to deprive any person of the liberty of appeal from any decree made by the chancellor in the premises.

And make
any order,
&c.

This act is made permanent by 1798, ch. 71.