

APPENDIX.—CHANCERY LAWS.

CHAP. 55.

and on that account may conceive that he cannot conscientiously act thereon, and shall so certify in writing, the same shall be heard and determined by the chief judge of the third judicial district, or by the court thereof, at the election of the complainant(b), and all interlocutory and other orders in such cases shall be made by the said chief judge, which determinations and orders shall have the same effect as if made by the chancellor, and such decree shall be subject to appeal in like manner.

(b) The same advantages given to the respondent by 1811 ch. 189.

Chancellor may require his opinion on any point of law, &c.

2. AND BE IT ENACTED, That the chancellor may require the opinion of the chief judge of the said district on any question of law which may arise in any suit in chancery, and in which, according to the usual practice, such opinion may be thought necessary; and that it shall be the duty of the said chief judge to express, in writing, such opinion; provided, that in case of such opinion being given, or in the case of any decree or order made by the said chief judge, or by the court, he being sitting therein, the said chief judge shall withdraw from the bench upon the deciding of the same case before the court of appeals.

NOVEMBER SESSION, 1807.

CHAP. CXL.

Passed Jan. 20, 1804. *An Act to increase the powers of the High Court of Chancery.* Lib. TH. No. 1, fol. 478.

Preamble.

WHEREAS it is represented to this general assembly, that the court of chancery has not the power to decree against parties who have been directed to produce books relative to disputes in said court, and who have neglected or refused to comply with such direction; therefore,

Where chancellor may order production of books, and party fails to produce them, he may take the allegations of the other pro confesso

2. BE IT ENACTED, by the General Assembly of Maryland, That in any case where the chancellor has ordered, or may order, the production of books(c) in the possession of any party in the said court, on the failure of such party to produce such books, so directed to be produced, by the day therein limited, or to shew sufficient cause for such failure, during the first four days of the succeeding term, or any other term that may be appointed therefor, the chancellor may, in his discretion, take the allegations in the bill of complaint of the party requiring the production of the said books, pro confesso and decree *ex parte* in such manner as shall appear just and reasonable.

(c) See 1798, ch. 84.

NOVEMBER SESSION, 1811.

CHAP. CLXXXIX.

Passed Jan 7, 1812 *A Supplement to the act, entitled, An act to encourage the Chancery Court.* Lib. TH. No. 3, fol. 269.

Respondents to have all the benefits and advanta-

2. BE IT ENACTED, by the General Assembly of Maryland, That every respondent in any case now depending, or which may here-