

obtaining possession of the lands and tenements, but his heir or devisee shall have all the rights and remedies therein given to the purchaser.

Preservation, Detention and Inspection of Property.

1904. art. 75, sec. 98. 1888, art. 75, sec. 93. 1886, ch. 317.

98. It shall be lawful for the court in any action at law or cause in equity, or in any judicial proceeding, upon the application of any party thereto, and on such terms as to it may seem just, to make any order for the preservation, detention or inspection of any property being the subject of such action, cause or proceeding, and for all or any of the purposes aforesaid; to authorize any person or persons to enter upon or into any land or building in the possession of any party to such action, cause or proceeding, and for all or any of the purposes aforesaid; to authorize any samples to be taken, or any observations to be made, or experiment to be tried, which may seem necessary or expedient for the purpose of obtaining full information or evidence.

This section does not confer upon the trial court power in its discretion to allow the jury to inspect premises. Such inspection can only be allowed by consent of both parties. The act of 1886, ch. 415, omitted from the code of 1888. *Arnold v. Green*, 95 Md. 227.

A sketch or painting of a bridge, milldam and the adjacent country, admitted in evidence in view of the act of 1886, ch. 415. *Harford County v. Wise*, 71 Md. 54; *New York, etc., Co. v. Jones*, 94 Md. 33.

Production of Books and Answering Bill of Discovery.

Ibid. sec. 99. 1888, art. 75, sec. 94. 1860, art. 75, sec. 69. 1796, ch. 43, sec. 7. 1801, ch. 74, sec. 6.

99. The court shall have power in the trial of actions at law, on motion made at the first court after the appearance court, supported by affidavit that the same is not intended for delay, and due notice thereof being given, to require the parties to produce copies, certified by a justice of the peace, of all such parts of all books or writings in their possession or power as contain evidence pertinent to the issue, or to answer any bill of discovery only which may be filed by the second court after the appearance court, in cases and under circumstances where they might be compelled to produce said original books or writings or answer such bill of discovery by the ordinary rules of proceeding in chancery, and if a plaintiff shall fail to comply with any such order to produce such books or writings, or answer such bill of discovery, it shall be lawful for the said courts on motion to give the like judgment for the defendant as in cases of non-suit, and if a defendant shall fail to comply with such order to produce books or writings, or to answer any bill of discovery only, it shall be lawful for the court, on motion as aforesaid, to give judgment against him by default; provided, that any plaintiff or defendant may, in compliance with any rule for producing extracts of such books or papers, bring into court the original books or papers.