

construed to extend to any cases except the following: (1) the misbehavior of any person or persons in the presence of the said courts, or so near thereto as to obstruct the administration of justice; (2) the misbehavior of any officers of the said courts in their official transactions; (3) the disobedience or resistance by any officer of the said courts, party, juror, witness or any other person or persons to any lawful writ, process, order, rule, decree or command of the said courts; (4) for unlawfully detaining or fraudulently and wilfully preventing, or disabling from attending or testifying a witness or party to an action, while going to, remaining at, or returning from the court, or sitting of an examiner in equity, or commissioner, where such cause may be set for trial, hearing, or the taking of testimony; (5) for fraudulently and wilfully removing, concealing or destroying any book, paper or document for the production of which for purposes of evidence, either at the trial of a cause or before an examiner in equity or commissioner, notice shall have been given; (6) for rescuing any person from the custody or removing any property from the possession of any officer holding said person or property by virtue of any writ of a court of competent jurisdiction; (7) any person for assuming to be an attorney, solicitor or other officer of the court, and acting as such without authority. Every offense which has been or shall have been wholly or partly committed against this section before the repeal and re-enactment thereof with amendments as hereinbefore provided shall be dealt with, inquired into, tried, determined and punished, and every penalty in respect to any such offense shall be imposed or inflicted, and any fine shall be imposed, enforced or recovered as if said section had not been repealed; and no case or proceeding pending shall abate by reason of such repeal, and any liability in respect to any matter or thing committed or done before such repeal and re-enactment with amendments shall continue and be of the same force and effect as if said section had not been so repealed and re-enacted.

Contempt of court is an offense at common law, and the right to punish for it is inherent in all courts. This section does not confer jurisdiction upon the courts, but is merely declaratory of what constitutes contempt. *Ex Parte Maulsby*, 13 Md. 635.

No appeal lies from an order imposing a fine for contempt. *State v. Stone*, 3 H. & McH. 116.

Upon the refusal of a lower court to obey a writ of *habeas corpus* directed to it by a higher court, the latter ordered the justices of the lower court summoned to answer for contempt. *Taylor v. Llewellyn*, 1 H. & McH. 19.

The sheriff may be attached for not returning a writ. *West v. Hughes*, 1 H. & J. 453.

1904, art. 26, sec. 5. 1888, art. 26, sec. 5. 1860, art. 29, sec. 5. 1852, ch. 173, sec. 5.

5. In case of the absence of the judges of any court, (except the court of appeals,) the clerk may adjourn the court from day to day; or he may, by written order from the judges, adjourn the court to the next term thereof, or to such other day before the next term as by said order he may be directed.