

by the Commission, the Commission may apply to any Judge of the Supreme Bench of Baltimore City, or of the Circuit Court of any County, upon proof by affidavit of the fact, for a rule or order returnable in not less than two or more than five days, directing such person to show cause before the Judge who made the order, or any other Judge aforesaid, why he should not be committed to jail; upon the return of such order, the Judge before whom the matter and such person shall come on for a hearing shall examine under oath such person and such person shall be given an opportunity to be heard; and if the Judge shall determine that such person has refused, without reasonable cause or legal excuse, to be examined or to answer a legal or pertinent question, or to produce a book or paper which he was ordered to bring or produce, he may forthwith commit the offender to jail, there to remain until he submits to do the act which he was so required to do, or is discharged according to law.

No person shall be excused from testifying or from producing any books or papers or documents in any investigation or inquiry by or upon any hearing before the Commission or any Commissioner, when ordered to do so by the Commission or its Secretary, upon the ground that the testimony or evidence, books, papers, or documents required of him may tend to incriminate him or subject him to penalty or forfeiture; but no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any act, transaction, matter or thing concerning which he shall, under oath, have, by order of the Commission or a Commissioner or its inspector or examiner, testified to or produced documentary evidence of; provided, however, that no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

This section referred to in construing sec. 56—see notes thereto. *Brenner v. Brenner*, 127 Md. 191.

An. Code, sec. 8. 1914, ch. 800, sec. 8.

8. Each officer who serves such subpoena shall receive the same fee as the Sheriff would receive in the county or city where said witness is subpoenaed, and each witness who appears in obedience to a subpoena, before the Commission or an inspector or an examiner, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in the Circuit Courts of the Counties or the Common Law Courts of Baltimore City, as of the place where he gives his testimony, which shall be audited and paid from the State Treasury in the same manner as other vouchers approved by any member of the Commission and the Secretary. No witness subpoenaed at the instance of a party other than the Commission, or an inspector or examiner, shall be entitled to compensation from the State Treasury unless the Commission shall certify that his testimony was material to the matter investigated. In an investigation, the Commission may cause depositions of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions taken in cases pending before the Circuit Courts of the Counties or the Common Law Courts of Baltimore City, as is now or hereafter may be provided by law.