

88.

See notes to sec. 90.

90.

Since act 1852, ch. 177, location may be controverted without counter-location. *Trespass quare clausum fregit*. *Marvel Package Co. v. Ginther*, 154 Md. 219.

Equitable Defenses.**91.**

Since forgery is a defense at law, plea of forgery on equitable grounds is defective. Defense eliminated by former decision. *George v. Farmers' & Mchts. Bank*, 155 Md. 700.

Extending Judgments.**94.**

See art. 50, sec. 12A.

Legal Sufficiency of Evidence.**97.**

Cited but not construed in *Victory Sparkler Co. v. Francks*, 147 Md. 372 (See notes to art. 5, sec. 11).

Preservation, Detention and Inspection of Property.

1920, ch. 563.

105.¹ It shall be lawful for the court in any civil action at law, upon the application of any party to the cause, if in the opinion of the court it is proper and in the interest of justice so to do, to make such order as may be necessary in order to have the jury make an inspection of real property, which is the subject of litigation or of the place where any material fact in issue took place, and the court may order the jury to be conducted in a body to such place, under the charge of an officer of the court and such place or property shall be shown to the jury by some person or persons appointed by the court for that purpose; and while the jury are thus absent no person, other than the person or persons so appointed by the court, shall speak to them on any subject connected with the trial; and the court shall award and allow the cost of the transportation of the jury as other costs in such trial are awarded and allowed.

As to juries, see art. 51.

Production of Books and Answering Bill of Discovery.**106.**

This and the succeeding sections are of interlocutory nature and not as extensive as jurisdiction of chancery. Demurrer overruled. Auxiliary jurisdiction to enforce discovery. *Hill v. Pinder*, 150 Md. 406.

107.

See notes to sec. 106.

108.

See notes to sec. 106.

¹ Due to a typographical error in the 1924 Edition of the Code, this section is reprinted here.