

**Minors without Proper Care or
Guardianship.**

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General Provisions.

An. Code, 1924, sec. 1. 1912, sec. 1. 1904, sec. 1. 1888, sec. 1. 1715, ch. 41, sec. 2.

1. The judges of the several courts of law and of equity may make such rules and orders from time to time for the well-governing and regulating their respective courts and the officers and suitors thereof and under such fines and forfeitures as they shall think fit, not exceeding twenty dollars for any one offense, all of which fines shall go to the State.

This section referred to in upholding abatement of a case under a rule of court providing such abatement where a case remained on *stet* docket for four continuous terms, etc. *Laurel Canning Co. v. B. & O. R. R. Co.*, 115 Md. 642.

The courts have full power and authority to prescribe rules. *Gambrill v. Parker*, 31 Md. 5. See also *Ricketts v. Pendleton*, 14 Md. 330.

While the court of appeals cannot pass upon whether a rule of a trial court which is in its power to pass, is a wise or proper one, any error by a trial court as to the legal effect of the rule or its application to a particular case, may be reversed on appeal. *Gist v. Drakely*, 2 Gill, 346. See also *Dunbar v. Conway*, 11 G. & J. 97.

Rules being established, the court has no discretion to dispense with them, or to innovate on established practice. *Hughes v. Jackson*, 12 Md. 463; *Gist v. Drakely*, 2 Gill, 346; *Wall v. Wall*, 2 H. & G. 81.

Courts will sometimes enlarge or suspend their rules when ends of justice require it. *Carroll v. Barber*, 7 H. & J. 456.

Cited but not construed in *Quenstedt v. Wilson*, 173 Md. 17.

An. Code, 1924, sec. 2. 1912, sec. 2. 1904, sec. 2. 1888, sec. 2. 1840, ch. 96, sec. 2.

2. The judges of the several courts of this State exercising civil jurisdiction shall prescribe by rule of court the manner in which suits may be dismissed by the parties or their attorneys during recess.

This section cited in *Union Trust Co. v. Poor and Alexander*, 168 Md. 410.

An. Code, 1924, sec. 3. 1912, sec. 3. 1904, sec. 3. 1888, sec. 3. 1805, ch. 65, sec. 51.

3. No person shall sue or be sued in privilege.

The privilege must be claimed by plea or motion made at the proper time, as it may be waived. *Peters v. League*, 13 Md. 63.

Jury men and witnesses are privileged from arrest during their attendance on court; it is the privilege of the court, however, and not of individual. *Brookes v. Chesley*, 4 H. & McH. 295.

An. Code, 1924, sec. 4. 1912, sec. 4. 1904, sec. 4. 1888, sec. 4. 1853, ch. 450, sec. 1. 1898, ch. 31.

4. The power of the several courts of the State to issue attachments and inflict summary punishments for contempt of courts shall not be 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, wit-