

**Attendance and Pay of Witnesses.**

An. Code, 1924, sec. 8. 1912, sec. 8. 1904, sec. 8. 1888, sec. 7. 1692, ch. 16, sec. 5. 1715, ch. 37, sec. 5. 1782, ch. 40, sec. 1.

12. Whenever any witness shall be summoned to attend any of the courts of this State and shall, without sufficient excuse, neglect to appear, he may be attached and fined by the court not exceeding fifty dollars, and shall be liable to answer the party for whom he shall be summoned in an action upon the case for the damage sustained for want of his appearance to testify according to such summons.

The provisions of the Code relative to compulsory attendance of a witness, have no application to a party who is a witness in his own behalf. *Gambrill v. Parker*, 31 Md. 5.

As to the continuance of a case upon suggestion that a material and competent witness is wanting, see art. 75, sec. 63.

As to the attendance and fees of witnesses before the public service commission and a failure to testify, see art. 23, sec. 357.

As to the summons of a witness residing in a different county, see art. 75, secs. 169 and 170.

Cited but not construed in *Ex Parte* General News Bureau, 162 Md. 648.  
See art. 16, sec. 299.

1927, ch. 673.

13. That no subpoena or summons in any civil cases shall be issued by any board, bureau, commission or out of any Court of record in this State, or by any Justice of the Peace, requiring the personal attendance as a witness of the Superintendent of the Maryland Tuberculosis Sanitarium or any branch thereof to testify concerning the health, history or any other factor pertaining to any individual who may be, or may have been, a patient in any institution whereof the said Superintendent may have supervision, except in those cases in which his personal testimony is absolutely essential to the issue, provided, however, that in any civil cases any transcript of the official records of any such institution, duly certified by any such said Superintendent, shall be competent evidence of the medical history of any individual who heretofore has been, or hereafter may be, a patient therein; and provided further that nothing contained in this section shall be construed to limit or to abridge the right of any party to take the testimony of any such said Superintendent by deposition as otherwise provided in this Article.

An. Code, 1924, sec. 9. 1912, sec. 9. 1904, sec. 9. 1888, sec. 8. 1715, ch. 37, sec. 5.

14. If any witness summoned or attached, being present, shall refuse or delay to give his evidence, he shall be committed to jail, there to remain until he shall willingly give his evidence.

Cited but not construed in *Ex Parte* General News Bureau, 162 Md. 648.

An. Code, 1924, sec. 10. 1912, sec. 10. 1904, sec. 10. 1888, sec. 9. 1782, ch. 40, sec. 4.

15. Any court from which execution shall issue on any recognizance forfeited for not attending as a witness in any case not capital may, upon motion and good and sufficient cause fully shown by such person, discharge him from the execution upon such terms as the court shall think fit and proper.

An. Code, 1924, sec. 11. 1912, sec. 11. 1904, sec. 11. 1888, sec. 10. 1797, ch. 94, sec. 6. 1886, ch. 165.

16. There shall be allowed to each witness attending the circuit courts for the counties or orphans' courts of this State the sum of one dollar for