

- 149. Said parties shall testify under oath.
- 150. Power of court to grant relief to judgment creditor.
- 151. Punishment for contempt of court's order.
- 152. When proceedings applicable to judgments of justices of peace.

III.

PROCESS.

- 153. Writ of summons; how issued, served and returned.
- 154. Writs returned not executed; renewal.
- 155. Personal appearance of defendant; when to be entered.
- 156. Where some appear and some do not, personal appearance to be entered for those failing to appear.
- 157. Where defendants shall be sued; excepted cases.
- 158. Trespasser; where suable.
- 159. Where captain or owner of vessel may be sued for non-delivery of goods shipped.
- 160. Jurisdiction of county lying on navigable river.
- 161. Jurisdiction of counties on navigable waters; proviso.
- 162. County maps evidence of boundaries and to determine center of waters.
- 163. Certified copies of county maps to be filed and to be authoritative.
- 164. Process for arrest of person committing crimes; how and where to be issued.
- 165. Suits against devisees of deceased debtor.
- 166. Writ of *scire facias*; how served.
- 167. Duplicates of writs of *scire facias* against heirs and terre-tenants; when issued and how served.

- 168. Joint action against heirs and devisees living in different counties; duplicate writs may issue.
- 169. Summons for witnesses residing in different counties; how issued.
- 170. Attachment against such witnesses for failure to appear.
- 171. How clerk shall issue writs to be served in any other county than that of which he is clerk.
- 172. Clerks to send daily to post-office for their mail.
- 173. Clerk receiving and delivering any process for another county shall mail to clerk of such county a certificate of the facts.
- 174. Penalty for neglect of secs. 171-173.
- 175. Expenses of postage and compensation for transmission, how paid.
- 176. Process to another county may be sent by clerk by any person as well as by mail.
- 177. Service on sheriff, where there is no coroner, how made.
- 178. Court may appoint elisor where there is no coroner to serve process in cases in which sheriff is interested.
- 179. Power of elisor so appointed.
- 180. Vacancy to be filled by court.
- 181. Process from counties to be made returnable to superior court of Baltimore City.
- 182. Where service of process is forcibly resisted, how service made.

Non-Pros.

- 183. Call of plaintiff before verdict, abolished. Plaintiff may take *non pros.* until argument on facts begins; where "set-off" is pleaded, defendant may take *non pros.* as to.

An. Code, 1924, sec. 1. 1912, sec. 1. 1904, sec. 1. 1888, sec. 1. 1856, ch. 112.

1. The practice, proceedings and pleadings in the several courts of law shall be the same that were used and practised in the courts of law of this State at the time of the adoption of the constitution of 1851, except so far as the same are altered and changed by this code.

Where a defendant is not summoned, and one or more terms pass without process being renewed, the action is thereby discontinued. *Hazelhurst v. Morris*, 28 Md. 72.

As to pleading, practice and process in equity, see art. 16, sec. 161, *et seq.*

I.

PLEADINGS.

An. Code, 1924, sec. 2. 1912, sec. 2. 1904, sec. 2. 1888, sec. 2. 1856, ch. 112, sec. 52.

2. Whatever facts are necessary to constitute the ground of action, defense, or reply, as the case may be, shall be stated in the pleading and