

tify, a copy of which order shall be served upon said delinquent witness at least five days before the day therein appointed; and if the said witness after having had such notice of said order, shall neglect or refuse to appear before said judge, or appearing, shall fail to shew good and sufficient cause why he, the said witness, has so failed to attend, or refused to testify before the said commissioner; then and not otherwise, the said judge may issue an attachment in the name of the State, and compel the appearance and answer of such witness, in the same manner as any court in this State would be authorized to do, if such witness had been summoned to appear before such court, and had failed to attend or refused to answer; *provided*, that the said judge may extend the time for the hearing before him, if deemed by him necessary or important.

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## ARTICLE XXXVIII.

### *Fees of Officers.*

The Act of June 21, 1861, ch. 55, repeals the 2d section of this Article so far as the same relates to the City of Baltimore, and enacts as follows:

SEC. 1. Any officer may send out his fees on execution at any time during the year.

The Act of June 24, 1861, ch. 67, construes the 25th section as follows:

2. As the true construction of the twenty-fifth section of article thirty-eight of the Maryland Code of Public General Laws, notaries public, residing in any of the counties of this State, shall be required to account for and pay to the Treasurer of this State, only one-half of the surplus over and above the sum of two hundred and fifty dollars, received by any such notary as fees on protests within any one year.

The Act of 1862, ch. 100, repeals section 22, and substitutes the following:

3. Every notary public shall, in the first week of January, April, July and October in each year, pay to the Treasurer of the State the one-half of all fees received by him for protests,