

CONTEMPT OF COURT.

Art. 16, s 104.
1785, c 72, s 22
Contempt, how
punished

55. In order to enforce obedience to the process, rules, and orders of the courts of equity, in all cases where any party or person shall be in contempt for disobedience, non-performance, or non-observance of any process, rule, or order of the court, or for any other matter or thing whatsoever, whereby or wherein a contempt according to the rules, law, practice, or course of the said courts may be incurred, such party or person shall, for every such contempt, and before he shall be released or discharged from the same, pay to the clerk of the court (to be paid by him at the end of every six months to the treasurer for the use of the State), a sum not exceeding twenty dollars, as a fine for the purgation of every such contempt, and the said party or person being in court upon any process of contempt or otherwise, upon the order of the court, shall stand committed and remain in close custody until the said process, rule, or order shall be fully performed, obeyed, and fulfilled, and until the said fine or fines for such contempt imposed by the said court, and the costs shall be fully paid.

Fines and costs

Custody

INTRODUCTION OF BOOKS, ETC., UNDER ORDER OF COURT.

Art 17, s 20
1798, c 84
Production of
documentary
evidence under
order of a court
of equity
31 Md 528,
2 Bl 447, 686.

56. The courts of equity shall have power and authority, on the application of either party on the trial of any actions at law or suits in chancery, either for discovery or relief, to require and decree that the parties shall produce either the original books, writings, or papers, or copies certified by a justice of the peace, of all such parts of such books, writings, or papers, in their possession or power, as contain evidence pertinent to the issue, or relative to the matters in dispute between the parties, to be used as evidence at the trial of such cause; but before any such order shall be made, the party making such application shall satisfy the court, on oath or affirmation, that the said books, writings, or papers, contain material and necessary evidence, and that such party cannot safely proceed to the trial of his case without the benefit of such testimony.

Id s 21
1807, c 140
Proceeding on
failure of party
to produce
books, etc.
31 Md. 528.

57. In any case where a court of equity may order the production of books in the possession of any party in the said court, on the failure of such party to produce such books so directed to be produced, by the day therein limited, or to show sufficient cause for such failure, during the first four days of the succeeding term, or any other term that may be appointed therefor, the said court may, in its discretion, take the allegations in the bill of complaint of the party requiring the production of the said books *pro confesso*, and decree *ex parte*, in such manner as shall appear just and reasonable.

TESTIMONY AND WITNESSES.

Art. 16, s 140
1779, c 8, s 8
Commission to
perpetuate

58. A commission shall issue to perpetuate testimony, on a bill for that purpose, before any appearance of the party defendant, to