

facts stated in the plea be determined for the defendant, they shall avail him as far as in law and equity they ought to be available, but no further.

Rule 20.

138. If the plaintiff shall not reply to any plea filed, or shall not set down any plea or demurrer for argument, within ten days after the same filed, the defendant may set it down for argument on five days' notice.

Rule 21.

139. If, upon the hearing, any demurrer or plea shall be allowed, the court may, in its discretion, upon motion of the plaintiff, allow him to amend his bill upon such terms as it shall deem to be reasonable.

Rule 22.

140. If, upon the hearing, any demurrer or plea is overruled, unless the court or judge thereof hearing the same be satisfied that it was intended for vexation and delay, the defendant shall be required to answer the bill, or so much thereof as may be covered by the plea or demurrer, at such time as, consistently with justice and the rights of the defendant, the same can be reasonably done; in default whereof, the bill shall be taken, as against him, *pro confesso*, and the matter thereof proceeded in and decreed accordingly; and such decree shall also be made when the court or judge thereof shall be satisfied that the plea or demurrer was interposed for vexation or delay merely, and is frivolous or unfounded.

P. G. L., (1860,) art. 16, sec. 102. 1785, ch. 72, sec. 25. 1888, ch. 486.

141. Upon any plea or demurrer being overruled, upon argument or otherwise, or being withdrawn without leave of the court, the party whose demurrer or plea is so overruled or withdrawn shall pay to the opposite party the sum of ten dollars, and the costs thereof, and be in contempt until the said sum of money and costs are fully paid, unless the court shall otherwise specially order.

Carroll v. Waring, 3 G & J. 491. Worthington v. Lee, 2 Bl. 685. Bank v. Dugan, 2 Bl. 257. Gilbert v. Arnold, 30 Md. 29. Seebold v. Lockner, 30 Md. 133. Collateral Security Bank v. Fowler, 42 Md. 393. Trego v. Skinner, 42 Md. 426. Wagner v. Shank, 59 Md. 313. Dennison v. Yost, 61 Md. 139.