

1888, art. 52, sec. 22. 1860, art. 51, sec. 20. 1852, ch. 76, sec. 4.

**23.** Where there are more than one defendant and some shall appear and some who have been summoned shall fail to appear, the justice shall proceed to try the cause as if all had appeared.

Ibid. sec. 23. 1860, art. 51, sec. 21. 1791, ch. 66, sec. 8.

**24.** A justice of the peace shall issue summonses for witnesses at the instance of either party and shall compel the attendance of such witnesses by attachment of contempt.

Ibid. sec. 24. 1860, art. 51, sec. 22. 1801, ch. 42, secs. 1, 2.

**25.** If the witness shall fail to appear on the return day of the summons the justice shall issue an attachment of contempt made returnable before the justice issuing the same who may, at his discretion, fine such defaulting witness in any sum not exceeding three dollars and shall issue execution for such fine and costs; and the same shall be collected and paid to the justice who shall, on or before the first day of January, annually, pay the same to the clerk of the circuit court for the county, or the clerk of the superior court of Baltimore city.

Ibid. sec. 25. 1860, art. 51, sec. 23. 1791, ch. 68, sec. 2.

**26.** If either party on the day of trial shall ask a postponement, the justice shall postpone the trial to another day, not exceeding fourteen days, if the justice shall be satisfied by the oath of the party or otherwise that a postponement is necessary to a fair trial of the case.

*Ewing v. Nickle*, 45 Md. 417. *Wagner v. Shank*, 59 Md. 321.

Ibid. sec. 26. 1860, art. 51, sec. 24. 1791, ch. 68, secs. 2, 3.

**27.** If either party shall fail to appear on the day to which a case is postponed, the justice may proceed to try the case *ex parte*.

Ibid.

Ibid. sec. 27. 1860, art. 51, sec. 25. 1852, ch. 239, sec. 2.

**28.** No special pleading shall be required in any action before a justice of the peace.

Ibid. sec. 28. 1860, art. 51, sec. 62. 1845, ch. 379, sec. 8.

**29.** If any justice of the peace shall die or shall cease to act as such from any cause, any justice of the peace in the same county shall have the same power to receive returns of