

1888, art. 93, sec. 249. 1860, art. 93, sec. 249. 1798, ch. 101, sub-ch. 15, sec. 16. 1892, ch. 275.

253. The orphans' court may, in all cases of controversy therein, upon the application of either party, direct plenary proceedings by bill or petition, to which there shall be an answer on oath, and if the party refuse to answer any matter alleged in the bill or petition, proper for the court to decide upon, he may be attached, fined and committed, or his property may be attached and sequestered; and the appearance of the defendant or defendants to such bill or petition may be compelled by writ of summons, order of publication or attachment, as such appearance is now compelled to bills and petitions in the circuit court for the counties, as courts of equity, and the judges of the orphans' court and register of wills shall have the same authority to order, issue and attest such process respectively as the judges and clerks of said circuit courts now have respectively, in cases in their courts.

Davis v. Calvert, 5 G. & J 269. Smith v. Young, 5 Gill, 197. Brooke v. Townshend, 7 Gill, 10. Marriott v. Handy, 8 Gill, 31. Ramsay v. Glass, 9 Gill, 56. Glass v. Ramsay, 9 Gill, 456. Pegg v. Warford, 4 Md. 385. Warford v. Van Sickle, 4 Md. 397. Warford v. Colvin, 14 Md. 532. Cover v. Stockdale, 16 Md. 1. Yingling v. Hesson, 16 Md. 112. Peters v. Peters, 20 Md. 178. Warford v. Colvin, 20 Md. 357. Cook v. Carr, 20 Md. 410. Mills v. Hume's Exrs., 22 Md. 346. Cannon v. Crook, 32 Md. 482. Worthington v. Gittings, 56 Md. 542. Brown v. Johns, 62 Md. 333. Johns v. Hodges, 62 Md. 525.

Ibid. sec. 250. 1860, art. 93, sec. 250. 1798, ch. 101, sub-ch. 15, sec. 17. 1886, ch. 498.

254. On such plenary proceeding, all the depositions shall be taken in writing and recorded, and, if either party require it, the court shall direct an issue or issues to be made up and sent to any court of law convenient for trying the same, and the issues shall be tried in the said court of law as soon as convenient, without any continuance longer than may be necessary to procure the attendance of witnesses; and the power of the court of law and the proceedings thereto relative shall be as directed by law respecting the trial of issues, and the orphans' court shall give judgment or decree upon the bill and answer and depositions or the finding of the jury, and may in all cases of contest award costs, in their discretion, and compel payment by attachment and fine, or by attachment and sequestration, or by *feri facias*.

Ibid. Price v. Moore, 21 Md. 374. Browne v. Browne, 22 Md. 115. Waters v. Waters, 26 Md. 72. Levy v. Levy, 28 Md. 25. Cooke v. Cooke,