

transferring or assigning said trust moneys, properties and effects of said trust estate.

Witnesses and Testimony.

1888, art 16, sec. 216. Rule 36.

234. Except where testimony is to be taken beyond the limits of the State, or beyond the limits of the county or city for which the court exercises jurisdiction, no commissions to take testimony shall issue. The circuit court for each of the counties and the supreme bench of Baltimore city shall each appoint two or three experienced and competent examiners, who shall, upon qualification, be officers of the court; and for any special reason, a special examiner may be appointed. These examiners shall have authority to issue subpoenas for witnesses, administer oaths, notify parties of the time of their sittings, and to preserve order and decorum during their sessions. Any person refusing to obey subpoenas issued by such examiners, or who shall be guilty of violating the order and proper decorum of the sessions of said examiners while in the discharge of their duties shall be reported by the examiners, together with the facts of the case, to the court; and upon hearing, the court, if satisfied of the facts as reported, and that the party was guilty of the matter charged, shall punish the party so offending. Such examiners shall be entitled to receive four dollars per day, for each and every day actually employed; to be paid by the party at whose instance the service may have been rendered. And it shall be the duty of such examiners, in making their returns to the court, in each case, to certify the time that they have been actually employed, and at whose instance, and the amount taxable to each party for services rendered.

Ibid. sec 217. Rule 37.

235. Whenever any cause is at issue involving matter of fact, or whenever any evidence is required to be taken, to be used in any proceeding in equity, it shall be competent to the party desiring to take evidence, by leave of the court or judge thereof, to notify one of the regular examiners, or any special examiner that may be appointed, of such desire, and to furnish him with the titling of the cause and the names of witnesses to be summoned to testify; and the examiners so applied to shall fix some reasonable day or days for the examination of witnesses, and the taking of evidence, of which he shall give due notice to the parties concerned, or those entitled to receive such