

such reasonable time after notice of such rule as may be deemed proper; and any testimony taken after the lapse of that time shall not be read in evidence at the hearing of the cause. But it shall be in the discretion of the court to enlarge the time, on application of the party against whom such rule may have been obtained, upon sufficient cause shown.

*Freaney v. Freaney*, 80 Md. 409.

1888, art. 16, sec. 223. Rule 43.

**241.** Evidence taken and returned shall be opened by the clerk, and shall remain in court ten days, subject to exception, before the cause shall be taken up for hearing, unless, by agreement of the parties, such time be waived; but after the expiration of that time the cause shall stand for hearing, unless some sufficient cause be shown to the contrary. This section not to apply to interlocutory applications.

*Freaney v. Freaney*, 80 Md. 409. *Chatterton v. Mason, R.*, 86 Md 244

*Ibid.* sec. 224. Rule 44.

**242.** The examination of witnesses *de bene esse* or for the perpetuation of their testimony, when by law allowed, may be had before an examiner, in the mode and form as prescribed in sections 236, 237, 238 and 239; and if no good objection be made to such testimony in twelve months from the time of the return to court thereof, the court shall order the same to be recorded in perpetual memory.

*Ibid.* sec. 225. Rule 45. 1890, ch. 86. 1896, ch. 35.

**243.** The court shall, on application of a party in interest, or may, of its own motion, order, that instead of the mode of taking testimony as provided in the foregoing sections, the witnesses, or any of them, shall be examined orally in open court in the presence of the judge or judges thereof, as to all or any of the facts or matters relevant in the cause or proceeding, and the evidence so taken shall be written down as delivered by the witnesses by such person, and in such manner as the court may have by special order or general rule directed, and when so written down shall, with such documentary proof as shall have been with it offered and admitted, be filed as part of the proceedings, to be used as if taken before an examiner; or if the court shall have so ordered, such evidence shall be reduced to writing by counsel in the same manner as bills of exceptions now are at common law, and after the same shall