

## CHAPTER 305

(House Bill 842)

AN ACT to add new Sections 99(c) and (d) to Article 52 of the Annotated Code of Maryland (1964 Replacement Volume and 1966 Supplement), title "Justices of the Peace," subtitle "Trial Magistrates System," to follow immediately after Section 99(b) thereof, to grant to the judges of the Montgomery County People's Court the power to adjudicate persons guilty of direct contempt in the type of cases set forth in Section 4 of Article 26 of the Maryland Code, providing for the penalty for said direct contempt, the procedure in proceedings thereon and the rights of appeal to the Montgomery County Circuit Court from adjudication of guilt thereof, and to grant to the judges of the Montgomery County People's Court the power to issue summons for the attendance of witnesses within the State in civil cases with the power of attachment for contempt for a defaulting witness and providing for a fine not to exceed fifty dollars (\$50.00).

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Sections 99(c) and (d), be and they are IT IS hereby added to Article 52 of the Annotated Code of Maryland (1964 Replacement Volume and 1966 Supplement), title "Justices of the Peace," subtitle "Trial Magistrates System," to follow immediately after Section 99 (b) thereof, and to read as follows:

(c) *To issue attachments and inflict summary punishments for direct contempts, committed in the presence of the Montgomery County People's Court or so near the said Court as to interrupt its proceedings in the types of cases set forth in Section 4 of Article 26 of the Annotated Code of Maryland, provided that the procedure and record in such cases shall be as provided for direct contempts under Rule P 3 of the Maryland Rules of Procedure, and provided further that the punishment for said contempts shall not exceed a fine of one hundred dollars (\$100) or ten (10) days in jail or close confinement. Any person may appeal to the Montgomery County Circuit Court within ten (10) days from any order or judgment purporting to be issued under the authority contained herein. Upon such appeal the Montgomery County Circuit Court shall consider and pass upon the law and the facts and shall issue such order as it may deem proper, including the reversal or modification of the order from which the appeal was taken. An appeal pursuant to this subsection shall stay the execution of sentence except where a person has been committed for a contempt, and then he shall have the right with respect to admission to bail pending appeal as an accused in a criminal proceeding.*

(d) *To issue summons for the attendance of any witness within the State in civil cases in the People's Court of Montgomery County, and upon the failure of any person to attend in response to said summons at the time and place mentioned therein, the judge of the Montgomery County People's Court shall issue an attachment of contempt made returnable before the judge issuing the same who may, at his discretion, fine such defaulting witness in any sum not exceeding fifty dollars (\$50.00) and shall issue execution for such fine and costs and the same shall be collected and paid to the clerk of the*