

From judgment overruling pleas in a criminal case, and granting permission to answer the indictment. *Clare v. State*, 30 Md. 164.

From an order overruling a motion for judgment by default. *Smithson v. United States, etc., Co.*, 29 Md. 162.

From an order overruling a motion to quash an attachment, filed after the return day. *Parkhurst v. Citizens', etc., Bank*, 61 Md. 259; *First National Bank v. Weckler*, 52 Md. 30; *Mitchell v. Chestnut*, 31 Md. 527; *Baldwin v. Wright*, 3 Gill, 242.

From an order allowing an amendment of a voucher in an attachment case. *Booth v. Callahan*, 97 Md. 319.

Where the plaintiff voluntarily suffers a *non-pros.*, and no final judgment is entered. *Boyd v. Kienzle*, 46 Md. 301; *State v. Bryan*, 3 Gill, 388.

From an order overruling a motion to quash a writ. *Welsh v. Davis*, 7 Gill, 365; *Gambrill v. Parker*, 31 Md. 1.

From an order overruling a motion to quash a writ of error *coram nobis*. *Bridendolph v. Zeller*, 3 Md. 325.

From an order granting leave to file a bill of review. *Meyer v. Steuart*, 48 Md. 423.

From an order consolidating cases. *Mitchell v. Smith*, 2 Md. 271.

From an order not settling the rights involved, and not denying the means of further prosecuting or defending the suit. *Hazlehurst v. Morris*, 28 Md. 67; *Boteler v. State*, 7 G. & J. 109.

For other examples of matters from which no appeal lies because they are interlocutory, see *League v. State*, 36 Md. 264; *Magraw v. Munnikhuysen*, 35 Md. 29; *Gittings v. State*, 33 Md. 461; *McArthur v. Martin*, 1 Gill, 259.

Matters in the discretion of the lower court.

No appeal lies in the following cases:

From an order refusing or granting leave to amend the pleadings. *Thorne v. Fox*, 67 Md. 67; *Griffie v. Mann*, 62 Md. 254; *Deford v. State*, 30 Md. 198; *Calvert v. Carter*, 18 Md. 108.

From an order allowing an amendment of the voucher in an attachment case. *Booth v. Callahan*, 97 Md. 319.

From the action of the court on a motion for a new trial. *Zitzer v. Jones*, 48 Md. 115; *Baltimore, etc., Ry. Co. v. Sewell*, 35 Md. 238; *Sauer v. Schulenberg*, 33 Md. 288; *Waters v. Waters*, 26 Md. 53. See also *Hughes v. Jackson*, 12 Md. 450.

From the action of the trial court in allowing a *remittitur*. *Post v. Bowen*, 35 Md. 235; *Baltimore v. Reynolds*, 18 Md. 270.

From a decision setting aside a verdict. *Kierle v. Shriver*, 11 G. & J. 405.

From the refusal of the court to grant a continuance. *Hopkins v. State*, 53 Md. 517; *Universal, etc., Ins. Co. v. Bachus*, 51 Md. 32; *Miller v. Miller*, 41 Md. 632; *Adams Express Co. v. Trego*, 35 Md. 59.

From the determination by the lower court of the order of proof. *Cumberland, etc., R. R. Co. v. Slack*, 45 Md. 176; *Bannon v. Warfield*, 42 Md. 39.

From an order allowing or refusing the re-examination of a witness. *Swartz v. Chickering*, 58 Md. 291; *Green v. Ford*, 35 Md. 88; *Schwartz v. Yearly*, 31 Md. 270.

From the refusal to allow additional proof after the evidence has been closed. *Berry v. Derwart*, 55 Md. 74; *Sellers v. Zimmerman*, 18 Md. 255.

From the refusal to entertain additional prayers after the prayers originally presented have been refused. *Porter v. Bowers*, 55 Md. 216; *Weisker v. Lowenthal*, 31 Md. 418.

From an order striking out a judgment on a motion filed during the term at which the judgment was entered. *McLaughlin v. Ogle*, 53 Md. 610; *Waters v. Engel*, 53 Md. 182; *Merrick v. B. & O. R. R. Co.*, 33 Md. 487; *Bridges v. Adams*, 32 Md. 577.

From the refusal of the court to strike out a judgment by default. *Jackson v. Union Bank*, 6 H. & J., 152.

From an order striking out a judgment by default during the term at which it was entered. (There is nothing in the act of 1864, ch. 6, to give such appeal.) *Glenn v. Allison*, 58 Md. 531; *Craig v. Wroth*, 47 Md. 281; *Rutherford v. Pope*, 15 Md. 581.

From an order dismissing an application for discharge on *habeas corpus*. *Annapolis v. Howard*, 80 Md. 245; *State v. Boyle*, 25 Md. 509; *Ex parte Coston*, 23 Md. 271; *Bell v. State*, 4 Gill, 301.

From an order of a court of law removing a case to a court of equity. *Insurance Co. of North America v. Schall*, 96 Md. 277; *Summerson v. Schilling*, 94 Md. 607.

From the action of the court in allowing counsel to read to the jury from a volume of printed reports. *B. & O. R. R. Co. v. Kane*, 65 Md. 403; *Augusta Ins. Co. v. Abbott*, 12 Md. 350.

From the determination by the lower court of the time and circumstances of signing exceptions. *Andre v. Bodman*, 13 Md. 256; *Roloson v. Carson*, 8 Md. 209.

From the refusal to allow additional reasons to be filed for striking out a judgment. *Herbert v. Wich*, 45 Md. 476.

From an order overruling a motion to require the plaintiff to pay certain costs before proceeding. *Borr v. Wilson*, 48 Md. 305.

For other examples of matters from which no appeal lies because they are in the discretion of the lower court, see *Lewin v. Simpson*, 38 Md. 485; *Gambrill v. Parker*, 31 Md. 1; *Bushey v. Culler*, 26 Md. 534; *Hoffman v. State*, 20 Md. 435; *Randall v. Glenn*, 2 Gill, 437.