

34. In any cause in which one or more appellants or appellees, plaintiffs or defendants, in error, shall have died, or shall die after appeal taken, or writ of error sued out, and before final judgment upon such appeal or writ of error in the Court of Appeals, and the executor of such party, or his administrator, shall have failed, or shall fail to appear in the Court of Appeals, and to suggest such death, and judgment has been or shall be given, as if the said party so deceased was alive, then, and in such event, it shall and may be lawful for any surviving party to such appeal or writ of error so adjudged as aforesaid, to suggest in the Court of Appeals the death of the said party to the said appeal, or writ of error, prior to the entering up of the judgment in the said court, and to show to the Court of Appeals who is the executor, or administrator of the deceased party, and in that event, it shall be competent for the said Court of Appeals to order execution to issue in the said cause, to the same extent, and in the same manner, as if the said executor or administrator had suggested the death of the person so dying as aforesaid, and had appeared to prosecute or defend said writ of error or appeal.

1862, c 167
Death of parties after appeal taken, before judgment and no suggestion of death by executor, etc

Execution against executor, etc.

APPEALS IN CASES OF FORFEITURE OF CHARTER.

35. The appeal allowed by section 8 of article LXVII of this Code, subtitle Proceedings against Corporations, shall be taken within thirty days from the date of the judgment or determination of the court appealed from; and the transcript of the record shall be transmitted to the Court of Appeals within thirty days from the day of the appeal entered.

Rules of Court of Appeals. Appeals allowed 42 Md 1

36. The appellant or appellants, if the defendant or defendants in the cause, upon praying such appeal, in order to stay the execution or enforcement of the judgment appealed from, shall tender and file in the cause an appeal bond, in such form and with such sureties as may be approved by the court, the penalty in such bond not to exceed, in any case, the sum of ten thousand dollars.

Rules of Court of Appeals. 42 Md 1.

Bond.

APPEALS IN CRIMINAL CASES

37. In all trials upon any indictment or presentment in any court of this State having criminal jurisdiction, it shall be lawful for any party accused, or for the State's attorney, in behalf of the State of Maryland, to except to any ruling or determination of the court, and to tender to the court a bill of exceptions, which shall be signed and sealed by the court, as is now practiced within this State in civil cases; and the party tendering such bill of exceptions may appeal from such ruling or determination to the Court of Appeals; *provided*, that the counsel for the accused shall make oath that such appeal is not taken for delay; and such appeal shall be heard by the Court of Appeals at the earliest convenient day after the same shall have been transmitted to the said court; and after such

1872, c 316
Exceptions to rulings in criminal cases 38 Md 186, 39 Md, 434, 42 Md, 570, 44 Md 533, 45 Md 101, 360, 455, 440, 46 Md 422.

Proviso.