

obtained by fraud or mistake, in which case the appeal shall be entered within two months from the time of the discovery of the fraud or mistake, and not afterwards.

Herbert *v.* Rowles, 30 Md. 271. McGonigal *v.* Plummer, 30 Md. 422. Johnson *v.* Robertson, 31 Md. 476. Calvert *v.* Williams, 34 Md. 672. Jacobs *v.* Bealmear, 41 Md. 484. Stephen *v.* Lewis, 62 Md. 230. United Lanes Tel Co. *v.* Stevens, 67 Md. 158.

Rule 10.

31. All transcripts of records, on appeals from courts of equity, shall be made and transmitted to the court of appeals within three months from the time of the appeal prayed; but on appeals taken as provided by section 29, the transcript of the record shall be made and transmitted to the court of appeals forthwith after the appeal prayed.

Hooper *v.* B. & Y. Turnpike Road, 34 Md. 521. Mince *v.* Tucker, 37 Md. 362. Meloy *v.* Squires, 42 Md. 378. Ewell *v.* Taylor, 45 Md. 573. Willis *v.* Jones, 57 Md. 363. Downes *v.* Friel, 57 Md. 531.

Rule 11.

32. In making up the transcript of the record of equity proceedings to be transmitted to the court of appeals, it shall be the duty of the clerk of the court from which the appeal may be taken, to omit therefrom the formal heading and commencement of the record, stating only the titling of the cause, and the time of the commencement of the proceeding; he shall also omit all subpoenas and other process for appearance of parties, if parties have appeared; all orders and certificates of publication, stating in lieu thereof the date of such order, the period of publication required, how published, and the time fixed for appearance of parties thereunder; all orders to take testimony, and the formal returns thereto, stating in lieu thereof the fact and time of passing such orders, and the time of the returning of such testimony; all entries of continuances; all injunction bonds, receivers' bonds, trustees' bonds, appeal bonds, and affidavits filed on appeal; all proceedings in the cause subsequent to the decree or order appealed from; and all merely collateral proceedings not in anywise involved in the matter of appeal, and which cannot be material to the hearing and decision of the case by the court of appeals; any party to the appeal, however, shall have the right to direct any particular part of the proceedings of the