

to the court of appeals, and that shall be used upon the hearing of all such appeals; in cases arising under this rule, the court of appeals shall have power to award costs, including the cost of transmitting the record, to either of the parties in its discretion, or the costs may be apportioned as the said court may deem just.

Rule 18.

**41.** Whenever a case has before been in the court of appeals, there shall be copied into the transcript, upon any subsequent appeal, only the proceedings occurring in the court below subsequent to the former appeal.

P. G. L., (1860,) art. 5, sec. 10. 1865, ch. 141. 1870, ch. 263.

**42.** All appeals in cases of mandamus or questions arising under the insolvent laws, on exceptions taken on the trials of issues sent from the orphans' courts or courts of equity, orders granting injunctions, dissolving or refusing to dissolve the same, appointing a receiver, ratifying or refusing to ratify a trustee's sale, and all appeals from decisions of the orphans' court, and from any judgment or motion to set aside sales, or apply money in the hands of the sheriff, and all appeals from decisions on matters of law, made by the courts of Baltimore city, in relation to the streets in said city, shall stand for special hearing at the first term after the transmission of the record; and from every final judgment or order granting or refusing a peremptory mandamus in any case hereafter brought, involving the title or right to a public office, either party shall have a right to appeal within twenty days; and on such appeal, the clerk of the court shall forthwith transmit the original papers, including the judgment or order, to the court of appeals, and said court shall immediately hear and determine the case.

Ibid. sec. 11. 1831, ch. 68, sec. 4.

**43.** All cases where the State is interested shall stand for special hearing at the first term after the transmission of the record.

P. G. L., (1860,) art. 29, sec. 30. 1853, ch. 68, sec. 2.

**44.** Every application for a writ of diminution shall contain a specification in writing of the parts of the records or proceed-