

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 be transmitted to said court; and after such appeal shall be entered, no judgment shall be rendered against the accused, in case he shall be found guilty, until the court of appeals shall have determined upon the exception; and the accused, if convicted, shall not be entitled to remain on bail until the case is remanded from the court of appeals, except in cases in which the punishment is fine or confinement in jail, or confinement in jail or penitentiary, in the discretion of the court.

*Deckard v. State*, 38 Md., 186. *Weir v. State*, 39 Md. 434. *Wheeler v. State*, 42 Md. 563. *Smith v. State*, 44 Md. 530. *Dulaney v. State*, 45 Md. 99. *Broll v. State*, 45 Md. 356. *Rhinehart v. State*, 45 Md. 454. *Archer v. State*, 45 Md. 457. *Kearney v. State*, 46 Md. 422. *State v. Carter*, 49 Md. 8. *State v. Shields*, 49 Md. 301. *Forwood v. State*, 49 Md. 531. *Gibson v. State*, 54 Md. 447. *Johns v. State*, 55 Md. 350. *Bell v. State*, 57 Md. 108. *Crouse v. State*, 57 Md. 328. *Neff v. State*, 57 Md. 385. *Chesapeake Club v. State*, 63 Md. 446. *Prest. Managers & Co of Balto. & Yorktown Turnpike Road v. State*, 63 Md. 573. *Swain v. State*, 64 Md. 423. *State v. Bowers*, 65 Md. 363. *State v. Long*, 65 Md. 365. *Stevens v. State*, 66 Md. 205. *Lamb v. State*, 66 Md. 289.

1878, ch. 40.

**78.** Whenever any writ of error or appeal shall be brought upon any judgment, or any indictment, information, presentment, inquisition, or conviction in any criminal case, and the court of appeals shall reverse the judgment for error in the judgment, or sentence itself, it shall be the duty of the court of appeals to remit the record to the court below, in order that such court may pronounce the proper judgment upon such indictment, information, presentment, inquisition, or conviction; provided, however, that it shall be the duty of the court in passing any sentence under the provisions of this section to deduct from the term of sentence the time already served by the prisoner under the previous sentence from the date of his conviction.

**Appeals from the Commissioner of the Land Office.**

P. G. L., (1860,) art. 5, sec. 46. 1852, ch. 361, sec. 2. 1853, ch. 415, sec. 4.

**79.** All parties aggrieved by any judgment, final order or determination in any case affecting the title to lands, made by