

1888, art. 5, sec. 3. 1860, art 5, sec. 4 1845, ch 7.

**3.** Any party to a writ of mandamus may appeal ; and petitions assigning errors may be filed in civil or criminal cases, in lieu of the formal writs of error heretofore issued in this State, in cases where writs of error were formerly allowed.

*Quynn v. State*, 1 H. & J. 36. *Cummings v. State*, 1 H. & J. 340. *Anderson v. State*, 5 H. & J. 174. *State v. Buchanan*, 5 H. & J. 317. *Thompson v. McKim*, 6 H. & J. 302. *Wall's Exr. v. Wall*, 2 H. & G. 79. *Hawkins v. Bowie*, 9 G. & J. 428. *Isaac v. Clarke*, 9 G. & J. 107. *Hall v. State*, 12 G. & J. 329. *Chesapeake Bank v. McClellan*, 1 Md. Ch. Dec. 330. *Bridendolph v. Zeller*, 3 Md. 325. *State v. Mace*, 5 Md. 350. *Manly v. State*, 7 Md. 135. *Davis v. State*, 7 Md. 151. *Harwood v. State*, 9 Md. 108. *Ford v. State*, 12 Md. 514. *Kemp v. Cook*, 18 Md. 137. *C. C. & I. Co. v. Jeffries*, 21 Md. 375. *State v. Boyle*, 25 Md. 513. *Costen v. Costen*, 25 Md. 500. *Clare v. State*, 30 Md. 171. *Davis v. State*, 39 Md. 385. *McDonald v. State*, 45 Md. 90. *Dulany v. State*, 45 Md. 99. *Kearney v. State*, 46 Md. 424. *Forwood v. State*, 49 Md. 538. *Rayner v. State*, 52 Md. 374. *State v. Wade*, 55 Md. 39. *State v. Hodges*, 55 Md. 127. *Green v. State*, 59 Md. 123. *Ecker v. First Nat Bank*, 62 Md. 519.

*Ibid.* sec. 4. Rule 1.

**4.** Formal writs of error shall, in all cases, be dispensed with, and the party applying to have the record removed, as upon writ of error, in cases where by law writs of error are allowable, shall, by brief petition, addressed to the court in which the case was tried, plainly designate the points or questions of law by the decision of which he feels aggrieved ; which application, so to remove the record, shall be allowed as of right ; and no point or question not thus plainly designated in such application shall be heard or determined by the court of appeals.

*Davis v. State*, 39 Md. 358. *Hearn v. Gould*, 51 Md. 319. *State v. Scarborough*, 55 Md. 345. *State v. Norris*, 70 Md. 91. *Avirett v. State*, 76 Md. 516. *State v. Floto*, 81 Md. 602.

*Ibid.* sec. 5. 1860, art 5, sec. 5. 1832, ch. 208.

**5.** In cases of issues sent from the orphans' court or a court of equity to a court of law to be tried, exceptions may be taken to any opinion given by the court before whom such issues shall be tried, and an appeal may be taken on such exceptions ; and such appeal, while pending, shall stay all proceedings in the orphans' court touching the matter of such issues.

*Pegg v. Warford*, 4 Md. 394. *Waring v Edmonds*, 11 Md. 425. *Price v. Moore*, 21 Md. 358. *Waters v. Waters*, 26 Md. 53. *Barth v. Rosenfeld*, 36 Md. 604. *Berry v. Safe Deposit, etc.*, 93 Md. 243.