

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.

The right to a speedy hearing and decision in the court of appeals is specially provided for by this section and by art. 33, sec. 94. An application for a mandamus to compel the board of canvassers to canvass and count the votes, held to involve the right to a certificate of an election to a public office. *Price v. Ashburn*, 122 Md. 519.

Appeals from judgments or orders granting or refusing a mandamus in cases involving the title or right to a public office, must be taken within twenty days from such judgment or order. Secs. 2, 3 and 6 of this article not applicable. Statutory construction. *Riggin v. Wyatt*, 139 Md. 479.

There should be an immediate hearing where the right to a public office is involved. *Creager v. Hooper*, 83 Md. 500.

As to the right of appeal in mandamus cases, see sec. 3.

An. Code, sec. 45. 1904, sec. 45. 1888, sec. 43. 1831, ch. 68, sec. 4.

49. All cases where the state is interested shall stand for special hearing at the first term after the transmission of the record.

An. Code, sec. 46. 1904, sec. 46. 1888, sec. 44. 1853, ch. 68, sec. 2.

50. Every application for a writ of diminution shall contain a specification in writing of the parts of the records or proceedings requisite to be supplied, which shall also be incorporated in the writ of diminution, for the guidance of the inferior court.

If an appellant is not satisfied with the record as transmitted, he may apply for a writ of diminution under this section. Only the case as found in the record can be reviewed. *Schwallenberg v. Jennings*, 43 Md. 556.

An. Code, sec. 47. 1904, sec. 47. 1888, sec. 45. 1853, ch. 68, sec. 3.

51. The issuing of a writ of diminution shall not delay the hearing in the court of appeals of any cause, if the return thereto be made before the said cause shall be called for hearing, unless for good cause shown.

An. Code, sec. 48. 1904, sec. 48. 1888, sec. 46. Rule 21.

52. In all cases where a writ of diminution shall be issued, the clerk of the inferior court, to which the writ may be sent, shall, in his return thereto, transmit to the court of appeals only so much of the proceedings remaining of record in the inferior court as may be necessary to correct the alleged errors or defect in the transcript first sent to the court of appeals.

An. Code, sec. 49. 1904, sec. 49. 1888, sec. 47. Rule 24.

53. All appeals shall be brought into the Court of Appeals by transcripts of the records of the Courts below, as contemplated by the Constitution, and shall be made up as directed by the Rules of the Court of Appeals and by statute. Before the Clerk shall be required to have any transcript in any civil case printed, the appellant or appellants shall, upon being informed of the amount of the cost, pay or secure to be paid to the