

be of the opinion that the interests of justice will be promoted by striking out such judgment and so reinstating such case, although sufficient grounds for striking out such judgment for fraud, deceit, irregularity or such other grounds as would have sufficed before the enactment of this section may not be present; provided, however, that the court granting such order may require as a condition thereto, that the defendant give bond with approved security for the payment of any judgment finally recovered against him in such case in such penalty as may be prescribed by the court, and that the defendant pay the costs so far incurred in said case, or any other conditions which the court may deem proper; and if any defendant who has been given leave to file pleas, affidavit or certificate, or to amend those already filed, under this section, shall fail to file a sufficient plea, affidavit or certificate of counsel, or to amend those already filed so as to be sufficient within the time so limited, then the plaintiff shall be entitled to final entry of judgment on motion therefor, in the same manner as for failure to file a sufficient plea, affidavit or certificate within the time originally limited under the preceding sections.

Cornblatt v. Block, 132 Md. 44. *Waldeck Co. v. Emmart*, 127 Md. 470.

1886, ch. 184. P. L. L. (1888), Art. 4, sec. 170. 1916, ch. 625. 1924, ch. 338.

316. Bills of Exceptions may be signed in any cause pending in any of said courts, at any time within the period that the parties, or any of them, shall have the right to file an appeal from the rendition of the verdict by the jury or the findings of the court upon the issue of fact in said cause; and upon filing the order for such an appeal, the time for signing said Bills of Exceptions shall thereby be further extended until twenty days before the period within which it is required that the record shall be transmitted to the Court of Appeals; provided that the party appealing, or his counsel, shall submit the bills of exceptions to the appellee, or his counsel, not less than thirty-five days prior to the time that the record **must** be filed in the Court of Appeals, for the purpose of amendments or additions to the said Bills of Exceptions, and the appellee, or his counsel, within ten days after said Bills of Exceptions shall have been submitted to him, shall return said Bills of Exceptions to the appellant, or his counsel, with such amendments or additions as he may desire. And upon his failure to return said Bills of Exceptions within said time, the Bills of Exceptions shall be signed by the Court, as originally prepared by the appellant, or his counsel. If the said appellee, or his counsel, shall return the said Bills of Exceptions to the appellant, or his counsel, with his amendments or additions, as hereinbefore provided, the said Bills of Exceptions with such amendments or additions shall forthwith be presented to the judge before whom the said case was tried, who shall settle the same within five days thereafter.

Gottlieb v. Fred. W. Wolff Co., 75 Md. 126. *Preston v. McCann*, 77 Md. 30. *Edelhoff v. Horner-Miller Co.*, 86 Md. 595-605. *Am. Tobacco Co. v. Strickling*, 88 Md. 500. *Wegefath v. Weissner*, 132 Md. 595. *Bastable v. Bastable*, 144 Md. 213. *Stiegler v. Eureka Life Ins. Co.*, 146 Md. 629. *U. S. Fid. Co. v. Williams*, 148 Md. 289.

In relation to bills of exception generally, see *Briscoe v. Ward*, 1 H. & J. 165. *Dakin v. Pomeroy*, 9 Gill, 1. *Marsh v. Hand*, 35 Md. 123. *Balto. Bldg. Ass'n v.*