

**Abatement In Court of Appeals.**

1898, ch. 29.

**76 A.** In any case in which the party plaintiff or party defendant shall have died, either before or after judgment or decree, the heir, executor, administrator or other proper person may, if he thinks proper, suggest the death and become a party in the place of such deceased party, and pray an appeal or writ of error, and appear to such appeal or writ of error for the purpose of prosecuting the same; provided such appeal or writ of error be prayed within the time prescribed in this article.

*Goldschmid vs. Meline*, 86 Md., 370.

**Appeals In Criminal Cases.**

1892, ch. 506.

**77.** The parties to criminal proceedings shall be entitled to bills of exceptions, in the same manner as in civil proceedings, and appeals from judgments in criminal cases may be taken in the same manner as in civil cases; but no appeal in a criminal case shall stay execution of sentence unless the counsel for the accused shall make oath that the appeal is not taken for delay; and such appeal shall be heard at the earliest convenient day after the same shall have been transmitted to the Court of Appeals; and the accused upon taking such appeal shall, in all cases not punishable by death, or imprisonment in the penitentiary, be entitled to remain on bail, and in other cases not capital, the court from which the appeal is taken shall have the discretionary power to admit to bail; provided that nothing herein contained shall be construed to prohibit the court from requiring additional or greater bail, pending an appeal, than the accused may already have given before conviction.

*Stout v. State*, 76 Md. 319. *Avirett v. State*, 76 Md. 515. *Izer v. State*, 77 Md. 111. *Annapolis v. Howard*, 80 Md. 245. *State v. Floto*, 81 Md. 602. *Mitchell v. State*, 82 Md. 531. *Salfner v. State*, 84 Md. 301. *State v. Williams*, 85 Md. 233.