*As to attaints and oaths this Statute was not in force. At com- **193**
mon law, the reversioner or remainderman, unless a party to the record by Aid-Prayer, Receipt, or Voucher, could not have a writ of error on a judgment against the tenant for life, until after the determination of the particular estate; and his reversion or remainder being divested by such a judgment, it was doubted whether he could punish any waste committed after the recovery of the judgment, and divers other mischiefs; see the Marquis of Winchester's case, 3 Rep. 1, in which the Court resolved that the Act extended to remainders, though reversions only are spoken of in it, and secondly, that a reversion or remainder expectant upon an estate-tail is out of the words and meaning of the Act. Lord Coke adds upon the proviso of the Act, that if a tenant for life suffers a recovery upon a *præcipe* by Covin and Assent, it is a forfeiture, if the reversioner reverse the recovery.

In Moore v. White, 4 H. &. J. 548, a proceeding in lunacy, certain parties claiming to be representatives of the lunatic, filed objections to a claim exhibited by his trustee. On appeal from an order disallowing the objections, it was insisted, that it was not known who these parties so objecting were, or that they had any right to object to the claims of the trustee, and their proper course was to file a bill for an account against the trustee, who might then set up the allowance. The Court held the proceedings informal and irregular, but inasmuch as the Chancellor's decree would, if unreversed, be conclusive on those of the representatives of the lunatic, who became parties to it, they held the appeal to lie.[1]

Under the Act of 1818, ch. 204, sec. 1,[2] any party aggrieved by a decree, order or decision of the Orphans Court, may appeal to the Court of Appeals. In the construction of which it has been held, that the term party, there used, is not used in a technical sense, importing a litigant before the Court in the proceedings wherein the order, &c. was passed, but may mean one on whose interests the decree or order may operate injuriously, and who *after its passage* may appear in Court and claim the privilege of appeal, Stevenson v. Schriver, 9 G. & J. 324. This construction has been affirmed in subsequent cases, as in Compton v. Barnes, 4 Gill, 55; Parker v. Gwynn, 4 Md. 428; Dorsey v. Warfield, 7 Md. 65; Cecil v. Harrington,

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[1] Cf. Turpin v. Derickson, 105 Md. 620; Warehime v. Graf, 83 Md. 98; Rau v. Robertson, 58 Md. 506; Trayhern v. Bank, 57 Md. 590; Walter v. Bank, 56 Md. 138; Hall v. Jack, 32 Md. 253.

As to the right of appeal by trustees, receivers and executors, see Boyce v. McLeod, 107 Md. 1; Knabe v. Johnson, 107 Md. 616; Lee v. Allen, 100 Md. 7; Senseney v. Repp, 94 Md. 77; Woodside v. Grafflin, 91 Md. 422; Warehime v. Graf, 83 Md. 98; Littig v. Hance, 81 Md. 416; Haskie v. James, 75 Md. 568; Lurman v. Hubner, 75 Md. 268; Frey v. Shrewsbury Inst., 58 Md. 151; McColgan v. McLaughlin, 58 Md. 499; Stewart v. Codd, 58 Md. 86; by a guardian *ad litem*, see Thomas v. Levering, 73 Md. 451; by an attorney in his own name, see National Bank v. Lanahan, 60 Md. 477.

[2] Code 1911, Art. 5, sec. 60.