

1914, ch. 149. 1914, ch. 248.

**22A.\*** If it appears to the Court of Appeals that a reversible error affects a severable item or part only of the matters in controversy, the Court may direct final judgment as to the remaining parts or items thereof, and may direct a new trial as to the said severable part or item only.

### Appeals from Courts of Equity.

#### 26.

When a receiver may appeal. No appeal lies from an order allowing a receiver to appeal, nor from an order overruling a demurrer to the petition of a receiver asking permission to appeal. *Beilman v. Poe*, 120 Md. 446.

This section does not restrict the right of appeal to those who are technical "parties," but an appellant must show that he has a direct interest in the subject-matter of the litigation. An applicant for a receiver is not entitled, merely because of the pendency of his application, to appeal from the action of another court in appointing receivers, he having no interest upon which a right of appeal may be predicated. A stockholder cannot appeal from a judgment against the corporation. *Preston v. Poe*, 116 Md. 6. And see *Carrington v. Basshor Company*, 121 Md. 77.

Persons, not parties to a suit, have no standing to appeal or to contest the decree. *Bernstein v. Stansbury*, 119 Md. 320.

There is no appeal from an order of a court of equity overruling a plea to a part of a bill; such order can be reviewed only under section 28. An appeal lies from the action of the court in overruling a demurrer to the entire bill. From an order in the nature of a final decree, from which an appeal lies under this section, there can be no appeal under section 28. *Peoples v. Ault*, 117 Md. 635.

An appeal lies under this section from a decree ratifying an inquisition of lunacy under article 16, section 114, *et seq.* *Ex parte Bristol*, 115 Md. 618.

To the fourth note to this section, under the heading "Generally," on page 145 of volume 1 of the Annotated Code, add the case of *Bellman v. Poe*, 120 Md. 447.

To the first note to this section on page 143 of volume 1 of the Annotated Code, add the case of *Beilman v. Poe*, 120 Md. 446.

*Quære*, whether under this section one of several trustees "who form but one collective trustee" may appeal. *Mackenzie v. Gerke*, 118 Md. 334. See notes to sections 36 and 37.

#### 27.

A demurrer to the whole bill is a sufficient compliance with the clause of this section providing that prior to an appeal, the answer shall be filed. *Dixon v. Dixon*, 119 Md. 414.

This section referred to in construing sections 26 and 28—see notes thereto. *Peoples v. Ault*, 117 Md. 635.

See notes to sections 26, 36 and 37.

#### 28.

There can be no appeal under this section from an order in the nature of a final decree from which an appeal lies under section 26. Under this section all orders, including those mentioned in section 27, from which no appeals have been previously taken, are subject to revision upon appeal from a final decree. *Peoples v. Ault*, 117 Md. 635.

See note to section 26.

\*The acts of 1914, chapters 149 and 248, enacted section 22A in the same language.