

A guardian *ad litem* is a party to the cause within the meaning of this section. *Thomas v. Levering*, 73 Md. 461.

An attorney cannot appeal in his own name and on his own motion, from an order or judgment affecting his clients. *Brune v. Lanahan*, 60 Md. 515.

Appeal dismissed because appellants were not proper parties to appeal. *Isaac v. Emery*, 64 Md. 333.

Parties held proper on appeal. *Buchanan v. Patterson*, 94 Md. 534.

Auditors and accounts.

An appeal lies from an order ratifying an auditor's report and directing the proceeds to be applied accordingly. *Pfeaff v. Jones*, 50 Md. 269; *Wayman v. Jones*, 4 Md. Ch. 501.

An appeal lies from an order settling the right of a party to a credit; determining that the written contract does not express the true agreement and referring the case to an auditor. *Connor v. Groh*, 90 Md. 680.

An appeal lies from an informal order upon exceptions to an auditor's account, which, however, is unequivocal and finally decisive. *McGonigal v. Plummer*, 30 Md. 422.

No appeal from a decree directing an accounting. *Snowden v. Dorsey*, 6 H. & J. 114; *Hungerford v. Bourne*, 3 G. & J. 142.

An appeal from an order referring a cause to an auditor with directions as to the mode of stating an account, is not authorized by the act of 1830, ch. 185. *Darrington v. Rogers*, 1 Gill, 403. See also *Wheeler v. Stone*, 4 Gill, 39; *Clagett v. Crawford*, 12 G. & J. 275.

No appeal from an order suspending a sale and referring the papers to an auditor. *Equitable, etc., Assn. v. Becker*, 45 Md. 635.

Where a trusteeship has been referred to a special auditor for an accounting with power to examine witnesses, etc., an order of court directing such auditor to take testimony, etc., is superfluous, and no appeal lies from a refusal to pass such order. *Morris v. Bright*, 126 Md. 289.

Generally.

The court of appeals alone determines when an appeal will lie. *Wylie v. Johnston*, 29 Md. 298; *Keighler v. Savage, etc., Co.*, 12 Md. 413; *Chesapeake Bank v. McClellan*, 1 Md. Ch. 330; *Thompson v. McKim*, 6 H. & J. 302.

An appeal lies under this section from a decree ratifying an inquisition of lunacy under art. 16, sec. 117, *et seq.* *Ex parte Bristol*, 115 Md. 618.

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.

Question whether an order sustaining a demurrer to so much of a petition as attacked the lower court's jurisdiction, was one from which an appeal should have been taken within two months from its date, not passed on. Cases reviewed. *Bliss v. Bliss*, 133 Md. 68.

From an order in the nature of a final decree from which an appeal lies under this section, there can be no appeal under sec. 32. *Peoples v. Ault*, 117 Md. 635; *Bliss v. Bliss*, 133 Md. 68.

An appeal taken and the record transmitted in due time, inasmuch as such appeal was under this section and not under sec. 35. *Powell v. Mackenzie*, 137 Md. 275.

An order setting a motion to dissolve an injunction down for hearing is not appealable under this section. *Warfield v. Valentine*, 130 Md. 596.

An appeal from a portion of the opinion of the lower court will be dismissed. *Hobbs v. Payne*, 127 Md. 290.

See notes to sec. 31.

No appeal from the opinion of the lower court; a decree must be entered. *Phillips v. Pearson*, 27 Md. 242. And see *Hungerford v. Bourne*, 3 G. & J. 142. See also *Roberts v. Salisbury*, 3 G. & J. 433.

A trustee may appeal from the disallowance of his commissions. *Gustav, etc., Bldg. Assn. v. Kratz*, 55 Md. 398.

No appeal from an order refusing to rescind a previous order appointing a receiver. *Hull v. Caughy*, 66 Md. 105.

An order directing a receiver to retain a certain sum to abide the result of an action at law, and providing that if the plaintiff therein should recover a judgment, he should be treated by the receiver as a general creditor, is final and an appeal lies therefrom. *Emory v. Faith*, 113 Md. 256.