

An order granting leave to a party to sue a receiver at law, is not wholly within the discretion of the court of equity, and hence is appealable. *Emory v. Faith*, 113 Md. 256.

No appeal from the action of the circuit court in ratifying an inquisition of condemnation, the jurisdiction of the circuit court being a special, statutory and limited one. *Brown v. Philadelphia, etc., R. R. Co.*, 58 Md. 544.

When a decree is final, warranting an appeal under this section. *Ware v. Richardson*, 3 Md. 555; *Waverly, etc., Assn. v. Buck*, 64 Md. 342.

No appeal from an order vacating a decree passed during the term at which the decree was rendered. The powers and duties of the court of appeals are defined and limited. *Wylie v. Johnston*, 29 Md. 302.

Though a defendant does not answer, and allows an interlocutory decree to go against him, he may appeal from the final decree. *Lippy v. Masonheimer*, 9 Md. 315.

An appeal lies from an order appointing a committee for an habitual drunkard. *Tome v. Stump*, 89 Md. 272.

No appeal from an order by default or by consent. *Ringgold's Case*, 1 Bl. 9.

No appeal from a decree by consent, nor from an order which has been rescinded when the appeal is entered. *Gable v. Williams*, 59 Md. 51.

An appeal from an order ratifying a sale cannot be sustained by showing errors in the decree passed fifteen months previously. *Vickers v. Tracey*, 22 Md. 196.

Where a case is removed from a court of chancery to a circuit court, decrees of the former court may be appealed from as though the case had not been removed. *Dugan v. Hollins*, 11 Md. 74.

Appeal held to have been properly taken, and in a proper capacity. *Tome v. King*, 64 Md. 178.

This section referred to in construing art. 16, sec. 243—see notes thereto. *Beggs v. Erb*, 138 Md. 352.

Cited but not construed in *Bailey v. Jones*, 107 Md. 410; *Chappell v. Chappell*, 86 Md. 537.

As to appeals in cases of issues sent from a court of equity to a court of law, see sec. 5. As to interlocutory orders, see sec. 32.

See also secs. 43 to 56, and notes to secs. 40 and 41.

An. Code, sec. 27. 1904, sec. 27. 1888, sec. 25. 1835, ch. 346, sec. 2. 1835, ch. 380, sec. 3. 1841, ch. 11. 1845, ch. 367, sec. 1. 1865, ch. 141. 1920, ch. 274, sec. 27.

**31.** An appeal may also be granted in the following cases, to wit: From any order granting an injunction, or from a refusal to dissolve the same, or an order appointing a receiver the answer of the party appealing being first filed in the cause; from an order dissolving an injunction; from an order for the sale, conveyance or delivery of real or personal property, or the payment of money, unless such delivery or payment be directed to be made to a receiver appointed by such court; or from any order determining a question of right between the parties, and directing an account to be stated on the principal of such determination, or from any order of any Court in this State the effect of which is to deprive any parent, grandparent, or natural guardian of such child of its care and custody and upon any such appeal the facts of the case shall be reviewed as in appeals from final decrees passed by Courts of Equity.

#### **Injunction.**

An appeal lies from an order changing and limiting an injunction so as to extinguish its operation. *Meyer v. Devries*, 64 Md. 534.

The portion of this section relating to injunctions, applied. *Conner v. Groh*, 90 Md. 680; *Reeder v. Machen*, 57 Md. 60. *Cf. Forbes v. Warfield*, 130 Md. 404.

Prior to this section, there was no appeal from an order dissolving an injunction. *Dorsey v. Smith*, 2 H. & G. 135.

As to injunctions, see also sec. 35.

The refusal of the lower court to hear on October 28, 1916, a motion to dissolve an injunction granted on November 1, 1915, is not appealable under this section or