

This section does not authorize court to remand case at instance of appellee to correct error which did not injure appellant. *Harrison v. Robinette*, 167 Md. 83.

1933, ch. 460.

42A. Any receiver, trustee or other fiduciary appointed by, or acting under the jurisdiction of any of the courts of equity of this State, shall have the right of an appeal to the Court of Appeals from any final decree hereafter entered or heretofore entered, provided the time for appeal from such decree has not expired, by which any preference or priority between creditors or other persons interested in the estate, is determined. Provided, however, that no such appeal shall be prosecuted without the consent and approval of the court having jurisdiction over the estate.

Consent of court must be given before initiation of appeal. *Lindsay v. Stemper*, 166 Md. 260.

Provisions Relating to Appeals from Courts of Law and Equity.

43.

See notes to sec. 12.

A record filed before the beginning of the term brings the case into that term of the court. *Price v. State*, 160 Md. 671.

44.

To sixth note under heading "Fault of Clerk," page 237, vol. 1, of Code, add *Brill v. State*, 144 Md. 69; *Wilmer v. Haines*, 148 Md. 388; *Price v. State*, 160 Md. 671.

Appeal not dismissed where delay caused by appellee as well as appellant. *Lockerman v. Trust Co.* 146 Md. 341; *Luray v. State*, 157 Md. 640.

This section referred to in construing sec. 6. *Presstman v. Fine*, 162 Md. 136. Delay not attributable to clerk in *Sanitary Supply Co. v. Cooper*, 160 Md. 512. See notes to sec. 12.

45.

See notes to sec. 44.

48.

As to mandamus, see art. 60.

49. Repealed by ch. 412 of the acts of 1929.

53.

See notes to sec. 12.

Appeal Bonds.

57.

Effect of bond in conformity with this section. Liability of surety. *Kvedera v. Mondraviskey*, 149 Md. 379.

58.

Cited but not construed in *Kvedera v. Mondraviskey*, 149 Md. 380.