

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.

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.

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No appeal from a decree by consent, nor from an order which has been rescinded when the appeal is entered.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. 252—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.

Counsel for party to receivership proceedings had no interest in case entitling him to appeal from order sustaining exceptions to allowance of his fee. *Culbreth v. Kries & Sons*, 144 Md. 500.

Applicant must show that he has direct interest in subject-matter of litigation. Decree or order must be final. *In re Buckler Trust*, 144 Md. 427.

Right of appeal under this section does not depend upon filing of appeal bond. See notes to sec. 33. *Shirk v. Soper*, 144 Md. 283.

Order directing executrix to intervene as defendant is interlocutory and not appealable. *Rowe v. Rowe*, 154 Md. 604.

Order denying petition of defendant in divorce suit for further proceedings by plaintiff, is not final. Contempt for non-payment of alimony. *Skirven v. Skirven*, 154 Md. 272.

Appeal from order overruling the demurrer to cross bill, in which the allegations of fact were the same as those in a contemporaneous answer, will be dismissed. *Brooks v. Sprague*, 157 Md. 160.

This section referred to in construing art. 101, sec. 70. *Gold Dust Corp. v. Zabawa*, 159 Md. 667.

Appeal lies under this section from decree dismissing bill "without prejudice", since it finally and completely terminated the proceeding and effectually denied the relief prayed plaintiff. *Gross v. Stone*, 173 Md. 657.

See also secs. 44 to 56, and notes to secs. 40 and 41.

See notes to sec. 31.