

No appeal from an order for the delivery of real or personal property and an account of the rents and profits, until such an account shall have been finally acted upon. *Hatton v. Weems*, 10 G. & J. 377.

No appeal from an order directing money to be brought into court. *Dillon v. Connecticut, etc. Co.*, 44 Md. 394; *Henry v. Kaufman*, 24 Md. 11. And see *Wheeler v. Stone*, 4 Gill, 39.

No appeal from an order merely suspending the allowance of a claim. *Barton v. Higgins*, 41 Md. 546.

No appeal from an order requiring the defendant to answer by a certain day. *Dennison v. Wantz*, 61 Md. 143.

No appeal from an order refusing further time to take testimony, nor from an order granting leave to amend by a certain time and providing that in the event of a failure so to amend, an injunction previously issued would be dissolved, the injunction in the meantime being continued. *Hill v. Reifsnider*, 39 Md. 429.

No appeal from an order reserving the rights of co-defendants for the further order of the court. *Swift v. Manufacturer's Bank*, 69 Md. 232. And see *Chenoweth v. Smith*, 29 Md. 22.

Where a decree *pro confesso* is passed against non-residents, the court has the right to reserve the question of whether a plea by resident defendants enures to the benefit of the non-residents, and the latter have no ground of appeal. *Simms v. Lloyd*, 58 Md. 479.

No appeal from an order directing the retaining of a bill pending a suit at law. *Scott v. Crawford*, 11 G. & J. 365; *Scott v. Crawford*, 10 G. & J. 379.

No appeal from an order allowing the complainant to examine the defendant as a witness. *Heath v. Ireland*, 11 Md. 388.

For other examples of matters from which no appeal lies because they are interlocutory, see *Keifer v. Reichert*, 93 Md. 99; *McKim v. Thompson*, 1 Bl. 150; *Wayman v. Jones*, 4 Md. Ch. 512. But see *Gover v. Hall*, 3 H. & J. 43.

See notes to sec. 2.

Mortgage sales.

An appeal lies from an order dismissing a petition, asking that a mortgage sale be restrained, and the decree for sale entered satisfied. The last clause of this section applied. *Schluderberg v. Robertson*, 60 Md. 602.

An appeal lies from an order passed in a proceeding to foreclose a mortgage, which determines that the plaintiff is not entitled to the relief prayed and directs an account as between debtor and creditor. *Waverly, etc., Assn. v. Buck*, 64 Md. 342.

No appeal from an order rescinding the final ratification of a trustee's sale, both orders being passed at the same term. From an order setting aside the sale, an appeal lies. *Hunting v. Walter*, 33 Md. 60.

No appeal by a mortgagor who has parted with his equity of redemption, from a decree directing the sale of mortgaged premises. *McDonald v. Working Men's Bldg. Assn.*, 60 Md. 590.

No appeal from an order granting a prayer for a rehearing on exceptions to a mortgage sale. *Keifer v. Reichert*, 93 Md. 99.

An appeal lies from a decree exonerating certain lots from sale under a mortgage until the exhaustion of other mortgaged properties. *Gardiner v. Baltimore*, 96 Md. 382; *Hopper v. Snyder*, 90 Md. 379.

An appeal lies from a decree for the sale of mortgaged premises under the Act of 1833, ch. 181. *Robertson v. American, etc., Assn.*, 10 Md. 406; *Williams v. Williams*, 7 Gill, 302.

Parties.

The intention of the act of 1864, ch. 156, was to change the pre-existing law as construed in 17 Md. 525. One who claims a fund in controversy and prays to intervene, is a party within the meaning of this section. *Hall v. Jack*, 32 Md. 263.

If the parties in whose name the appeal is taken have no interest, and the party in whose behalf it is sought to be maintained are not parties appellant, the appeal must be dismissed. *Walter v. Second National Bank*, 56 Md. 138.