

No appeal from a decree by consent, nor from an order which has been rescinded when the appeal is entered.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

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. 28.

See also sections 39 to 52.

1904, art. 5, sec. 27. 1888, art. 5, sec. 25. 1860, art. 5, sec. 21. 1835, ch. 346, sec. 2. 1835, ch. 380, sec. 3. 1841, ch. 11. 1845, ch. 367, sec. 1. 1865, ch. 141.

27. An appeal may also be allowed 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 an order determining a question of right between the parties, and directing an account to be stated on the principle of such determination.

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.

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. 31.

Receivers.

No appeal from an order refusing to rescind a previous order appointing a receiver. Such an order is not within the meaning of the last clause of this section, nor is the appointment of a receiver. *Monumental, etc., Co. v. Wilkinson*, 100 Md. 32; *Williams v. United States Baking Co.*, 86 Md. 475; *Hull v. Caughy*, 66 Md. 106.

While no appeal lies from an order merely dismissing a receiver, an appeal does lie from an order discharging a receiver and directing property to be delivered to an administrator. *Cain v. Warford*, 7 Md. 286. And see *Washington, etc., Co. v. Southern, etc., R. R. Co.*, 55 Md. 156; *Estate of Colvin*, 3 Md. Ch. 301.

Answer.

An answer must be filed to bills for an injunction or the appointment of a receiver before the defendant can appeal. *Stinson v. Ellicott, etc., Co.*, 109 Md. 114; *Williams Co. v. U. S. Baking Co.*, 86 Md. 475; *Lamm v. Burrell*, 69 Md. 273; *Kelghler v. Savage Mfg. Co.*, 12 Md. 412; *Blondheim v. Moore*, 11 Md. 371.

If one of the defendants answers, he may appeal, although his co-defendants have not answered. A demurrer to the whole bill is an answer within the meaning of this section. *Baltimore v. Weatherby*, 52 Md. 447. See also *Alexander v. Worthington*, 5 Md. 477; *Barnes v. Dodge*, 7 Gill, 118.