

on the sufficiency of the sureties to any bond filed in the offices of the said courts, respectively, under this article, and the said courts may from time to time make such rules and orders for the justifying or proving the sufficiency of such sureties, and for requiring additional security in any case, as they may deem proper.

If the bond gives the appellee a secure indemnity (collectively where there is more than one surety), the bond is sufficient. *Barnum v. Raborg*, 2 Md. Ch. 528.

The bond being insufficient, the appellee may apply to the lower court to compel the execution of another one, but if the appellee fails to do so, the court of appeals is powerless. *Fullerton v. Miller*, 22 Md. 9.

Bond held sufficient. *Ringgold's case*, 1 Bl. 5.

1904, art. 5, sec. 57. 1888, art. 5, sec. 55. 1860, art. 5, sec. 34. 1826, ch. 200, sec. 16.

**57.** In case any such bond shall be rejected, the court or judge rejecting the same shall have a discretionary power to grant further time to the party to file another bond; and if upon indulgence the party shall file a new bond which shall be approved, the supersedeas thereupon granted shall have relation back to the day of the filing of the first bond.

*Ibid.* sec. 58. 1888, art. 5, sec. 56. 1860, art. 5, sec. 36. 1826, ch. 200, sec. 17.

**58.** No bond required by this article to be executed for the purpose of staying or delaying execution upon any judgment or decree which shall be approved shall be avoided for any matter of form.

*Ibid.* sec. 59. 1888, art. 5, sec. 57. 1860, art. 5, sec. 38. 1826, ch. 200, sec. 11.

**59.** The bond, which any appellant, who may die pending any appeal or writ of error, shall have executed for the prosecuting an appeal, or suing forth a writ of error, and the securities therein, shall be liable and answerable to the appellee, his executors, administrators or assigns, for the due prosecution of the said appeal or writ of error.

See sec. 75. *et seq.*: also sec. 87.

### Appeals from Orphans' Courts.

*Ibid.* sec. 60. 1888, art. 5, sec. 58. 1860, art. 5, sec. 39. 1818, ch. 204, sec. 1.

**60.** From all decrees, orders, decisions and judgments, made by the orphans' court, the party, who may deem himself aggrieved by such decree, order, decision or judgment, may appeal to the court of appeals.

#### An appeal lies:

From an order revoking letters of administration. *Jones v. Jones*, 41 Md 354.

From an order revoking the letters of a joint administrator upon the application of his co-administrator. *Forney v. Shriner*, 60 Md. 419.

From an order directing the mode of distribution of a decedent's estate among his creditors. *Nally v. Long*, 56 Md. 570.

From the refusal of the orphans' court to grant issues. *Barroll v. Reading*, 5 H. & J. 176.

From an order directing an entry of dismissal of issues filed by the plaintiff to be stricken out and the case brought up by regular continuances. *Price v. Taylor*, 21 Md. 366.