

been made if no appeal had been taken in the case; *Provided*, the court shall be satisfied by the certificate of the clerk of the Court of Appeals, or other proper evidence, that the said appeal or writ of error has been dismissed.

19. Where writs of error coram vobis are pending in the Court of Appeals, and it shall appear to the court necessary to try any matter of fact put in issue by the pleadings in the case, the court may direct a transcript of the record to the court where the defendant named in the original action may reside, or to such other court as the parties in the said cause may agree upon, and the court to which such transcript shall be transmitted, shall proceed in such action, and to a trial of the facts put in issue.

APPEALS FROM COURTS OF EQUITY.

20. An appeal shall be allowed from any final decree, or order in the nature of a final decree, passed by a court of equity; *Provided*, such appeal be taken within nine months from the time of making such decree or order, and not afterwards, unless it shall be alleged on oath that such order was obtained by fraud or mistake.

21. 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.

22. On an appeal from a final decree or order, all previous orders which may have passed in the cause shall be open for revision in the Court of Appeals, unless an appeal under the next preceding section may have previously been taken to such order.

23. No appeal from any order shall stay the execution or suspend the operation of such order unless the party praying the