

their opinion, there is just cause for appealing. *Huguenin v. Basely*, 15 *Ves.* 183. It must appear, that the application for an appeal has not unreasonably delayed; *Savage v. Foster*, 9 *Mod.* 38; *Gwynn v. Lethbridge*, 14 *Ves.* 585; and, although an appeal may be taken from a decree to account, yet the Court will proceed to have the account taken pending the appeal. *Popham v. Bampfield*, 1 *Vern.* 344; *Nerot v. Burnard*, 2 *Russ.* 56. In granting a stay of its proceedings, the Court of Chancery, generally, imposes such terms, by ordering the sum decreed to be paid into Court, and so invested as to be productive pending the appeal, or by appointing a receiver, or by requiring such security, as will afford to the party in whose favor the decree has been made a reasonable assurance, that there shall be no unjust delay in prosecuting the appeal, or any material loss, or irreparable injury sustained by a suspension of the proceedings. *Willan v. Willan*, 16 *Ves.* 216, *Monkhouse v. The Corp. of Bedford*, 17 *Ves.* 380; *Way v. Foy*, 18 *Ves.* 452; *Huguenin v. Basely*, 15 *Ves.* 180.

In England, the rules prescribing the extent of the right of appeal from the inferior Courts of Admiralty, and the regulations by which its exercise is prevented from being abused, are nearly similar to those by which the right of appeal is limited, and its exercise restrained from decrees of the High Court of Chancery. *Clarke's Praxis*, tit. 54 and 55. Here, however, in the Federal Courts, no appeal is allowed in any case of admiralty and maritime jurisdiction, but from the final decree, or sentence of the Court; Act Cong. 24th Sept., 1789, ch. 20, s. 21 and 22; and, if such final decree be not appealed from, no appeal lies from any subsequent proceeding upon the summary judgment rendered on a bond for the appraised value, or upon an admiralty stipulation taken in the case to enforce the decree; *the proceedings in such cases, and the awarding of execution being considered incidents exclusively belonging to the Court in possession of the principal case. *The Hollen and Cargo*, 1 *Mason*, 431. So too in the Federal Courts there can be no appeal in a Chancery suit, but from the final decree. Act Cong. 24th Sept. 1789, ch. 20, s. 22. A decree for the sale of mortgaged property has been deemed a final decree within the meaning of the Act of Congress; *Ray v. Law*, 3 *Cran.* 179; but it has been held, that an order overruling a plea of the Statute of Limitations, and directing the defendant to answer; *Rutherford v. Fisher*, 4 *Dal.* 22; or an order dissolving or refusing to dissolve an injunction, is not a decree from which an appeal will lie. *Young v. Grundy*, 6 *Cran.* 51; *Gibbons v. Ogden*, 6 *Wheat.* 448. It is believed, that in all the States of our Union, in which distinct Courts of Chancery exist, or in which any of their inferior and original tribunals have been invested with the powers of a Court of Chancery, the range of the right of appeal has been more or less limited; and that some regu-