lations have been adopted with a view to prevent the abuse of its exercise. 7 *John. Cha. Ca. Gen. Index*, 22; *Hening & Munford's Rep.; 4 Desau. Rep.* In North Carolina all original jurisdiction in equity, beyond a small amount, was given exclusively to the Superior Courts of law and equity, which were at one time, Courts of last resort, and, of course, there could be no appeal in equity from any of their decisions. *Haywood's Rep.*

In Maryland, although it appears, that the Court of Chancery was one of the earliest of the judicial establishments of the Province, yet there is nothing which shews, that an appeal was ever allowed from any of its decrees, until it was expressly provided for by the Legislature. The Act for regulating writs of error and granting appeals from and to the Courts of common law; 1713, ch. 4; is, as its title indicates, like all the previous Acts upon the same subject, expressly confined, in all its provisions, to cases at common law; and has been followed out by a practice, in some particulars, different from that of the English Courts in like cases. *The State* v. *Buchanan*, 5 *H. & J.* 331. The existing Act of Assembly, which allows of appeals from Chancery, seems to have been a re-enactment of a law which had been passed a few years before; 1718, ch. 10; 1720, ch. 20; it enacts, that it shall be lawful for any person who conceives himself "aggrieved by any decree of the Chancery Court, to have an appeal to the Governor and Council," the then Court of Appeals. 1721, ch. 14, s. 3. It is not said, that the right of appeal shall be * extended to any order, decision or decretal order, but simply to "any decree of the Chancery Court;" whence, it would seem, that the right of appeal might have been, and, there is some reason to believe, actually was construed, under that law, to extend only to final decrees. (*e*) But it is well known, that the Court of Chancery of Maryland had, from the very outset, and always governed itself according to the principles and rules of its prototype, the Court of Chancery of England; (*f*) and that the right of appeal was not confined to

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(*e*) SLYE *v.* LLEWELLIN, May, 1721.—On motion of Mr. Daniel Dulaney, of counsel for the defendant, it is ordered, that the injunction in this cause be dissolved; and that there go an order to the sheriff to repossess Mr. Richard Llewellin, the defendant, with the lands in the bill mentioned, pursuant to a former order of this Court, made May, 1719; and that the bill be retained; and ordered hearing next Court. Whereupon Mr. William Cuming, of counsel for the complainant, moves for an appeal from this order to the High Court of Appeals, the injunction being dissolved, and a writ of possession ordered. Which appeal is denied by his Honor the Chancellor, the cause being not yet determined. *Chan. Proc. lib. P. L.* 595.

(*f*) COWELL *v.* SEYBREY.—Mr. Moorecroft, attorney for the plaintiff, moves against the defendant for a commitment against him to the sheriff of Saint Mary's County, until he do pay his contempt, and put in a perfect answer to the complainant's bill, there being an attachment issued against him for want of an appearance. Mr. Rozier, attorney for the defendant, puts in a