

been governed, in this respect, by a sound discretion upon a consideration of the peculiar nature of each case; so that, in fact, the hearing of a petition, to stay its own proceedings, pending an appeal, is, in some sort, a summary rehearing of the case itself.(n)

Upon all such occasions, however, the court gives a certain degree of credit to its own decree, supposing it to be right, unless strong ground is shewn for a contrary conclusion, more than the mere dissatisfaction of the party appealing. And, in order to induce the court to regard the case as reasonably doubtful, at least two counsel, who the court will not presume to act so unworthily as to state what they do not know and believe, must certify, that, in their opinion, there is just cause for appealing.(o) It must appear, that the application for an appeal has not been unreasonably delayed;(p) 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.(q) 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 favour 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.(r)

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.(s) 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;(t) 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;

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(n) *Willan v. Willan*, 16 Ves. 217; *Monkhouse v. The Corporation of Bedford*, 17 Ves. 389; *Wood v. Griffith*, 19 Ves. 551.—(o) *Huguenin v. Basely*, 15 Ves. 163.  
 (p) *Savage v. Foster*, 9 Mod. 33; *Gwynn v. Lethbridge*, 14 Ves. 585.—(q) *Popham v. Bampffield*, 1 Vern. 344; *Nerot v. Burnard*, 2 Russ. 56.—(r) *Willan v. Willan*, 16 Ves. 216; *Monkhouse v. The Corp. of Bedford*, 17 Ves. 389; *Way v. Foy*, 18 Ves. 452; *Huguenin v. Basely*, 15 Ves. 180.—(s) *Clarke's Praxis*, tit. 54 & 55.—(t) Act Cong. 24th Sept. 1789, ch. 20, s. 21 & 22