

CHAP. 380.

tion of any of the parties, send to any court of law, an issue for determining the fact of such indebtedness, subject to the rules usually applied to issues out of Chancery.

Case of appeal on injunction

SEC. 3. *And be it enacted*, That where any injunction shall issue from the Court of Chancery or any county court as a court of equity, the defendant or defendants in the case, or any of them, may appeal, the answer or answers of such appellants being first filed, from the order of the chancellor granting the injunction, or refusing to dissolve it, to the court of appeals of the shore where such injunction shall have issued, and the said court at the first term to which the case shall be transmitted, shall determine the said appeal, and shall pass such order in the premises as to it may seem right.

To be tried at first term

Case of no bond being given on appeal

SEC. 4. *And be it enacted*, That where no bond with security shall have been given upon the issuing of such injunction by or on part of the party applying for the same to secure the defendant or defendants against the consequences of such injunction, the said appeal shall except in cases of injunction to stay waste, stay such injunction and the operation thereof; *Provided*, a bond or bonds, with suerty or sureties, to be approved by any Judge of the Court of Appeals, and in penalty and with condition and in form to be prescribed by such judge, be given by the appellant or appellants; such bond to be after such approval filed in the court from whose order or decision such appeal shall have been taken; *And provided however*, that such appeal shall in case stay the proceedings in such suit in said court of chancery or county court, except as regards the force and operation of such injunction, or of any order, whether it be for the appointment of a receiver or otherwise, incident thereto.

Injunction may be stayed

On giving bond, &c

Proviso

Act of 1831, ch. 311, extended to cases of chattels, real and devises, &c.

SEC. 5. *And be it enacted*, That the provisions of the act of December session, of the year eighteen hundred and thirty-one, chapter three hundred and eleven, so far as they relate to the decreeing demises of property, in the city of Baltimore, be, and they are hereby extended to cases of chattels, real, in said city, and of executory devises of real property and estate, in said city.