

such order for relieving the said petitioner or otherwise as to justice shall appertain, and the said court shall have full power to enforce obedience to the said order by writ of injunction or attachment or other process, which would be applicable in the enforcement of the said order in the event that the same had been passed by the said court in the exercise of its general equity jurisdiction and the said court shall have power to provide for the examination of witnesses under a commission or by deposition, and for taking or collecting other necessary evidence to be used at the hearing as aforesaid and for the trial of issues involving any controverted matter of fact by a jury, under the direction of the said court, if the said court shall deem such trial to be proper, and either party may appeal from the final order to be passed by the said court or any order determining the merits of the said application or any part thereof to the Court of Appeals, and the said appeal shall be heard and determined at the first term of the said court next after the transmission of the transcript of the record of the said appeal to the said court, and in the event of an appeal as aforesaid, the said Court of Appeals shall have authority to pass such order in relation to the costs of the said proceeding as may seem right and proper.

Passed March 10, 1864.

ARTICLE XXIX.

Courts.

Chapter 268 repeals the 19th section of this Article, and the proviso to the 33d section of the 5th Article, (I. Supplement, 18-26,) so far as inconsistent therewith, and enacts as follows:

SEC. 1. Upon all judgments or decrees, or orders for the payment of money rendered, or to be rendered by any court or justice of the peace in any of the counties of this State, to which this act shall be made applicable, and upon all powers to sell, contained in any mortgage, and on all decrees for sale of mortgage property, there shall be a stay of execution until the first day of January eighteen hundred and sixty-five; and on condi-