

**43.** No appeal from any order shall stay the execution or suspend the operation of such order unless the party praying the appeal shall give bond, with security, to indemnify the other party from all loss and injury which said party may sustain by reason of such appeal, and the staying the operation of such order; such bond to be approved by the judge or clerk of the court where the proceedings are pending; and upon giving such bond, the appeal shall stay the operation of all such orders, in the same manner as appeals do from final decrees.

Art 5, s 23  
1830, c 185, s 1;  
1846, c 367, s 3,  
1853, c 374  
Stay of execution  
21 Md 51, 22  
Md 2, 24 Md  
500, 28 Md 190,  
35 Md 203, 220,  
42 Md 294  
Bond

**44.** In case a party intends, on an appeal from the final decree or order in the case, to dispute any previous order, and desires to stay the operation of such order, he shall state his intention to dispute the same, in writing, to be filed with the clerk, and shall give bond in such penalty as the court may prescribe, with security to be approved by the court or the clerk, to indemnify the other party from all loss and injury which such party may sustain by reason of the staying the operation of such order.

Art 5, s 24  
1830, c. 185, s 1.  
Stay of execution  
on appeal  
from final order,  
with intention  
to dispute previous  
order.  
Bond

**45.** Whenever any court having equity jurisdiction shall refuse to grant an injunction according to the prayer of the bill or petition filed in the cause, an appeal may be taken from such refusal by any party aggrieved thereby, and such right of appeal shall not be prejudiced by the filing of an answer to the said bill or petition on behalf of any opposing party, nor by the taking of depositions in reference to the allegations of the bill or petition to be read on the hearing of the application for an injunction; and the said appeal shall be heard on a transcript of the said bill or petition, with such other papers or proceedings in the cause as may be necessary for the purposes of the appeal, and so soon as conveniently may be after such transcript shall have been filed in the Court of Appeals.

1868, c 102  
Appeal from  
order refusing  
to grant injunction  
17 Md 62, 330,  
18 Md 210, 485,  
27 Md 77,  
28 Md 85

**46.** All transcripts of records, on appeals from courts of equity, shall be made and transmitted to the Court of Appeals within six months from the time of the appeal prayed; but on appeals taken as provided by the preceding section, the transcript of the record shall be made and transmitted to the Court of Appeals forthwith after appeal prayed.

Rules of Court  
of Appeals,  
No 10  
1864, c 322  
Within what  
time transcripts  
of records to be  
transmitted  
22 Md 447, 25  
Md 389, 27 Md.  
263, 28 Md 564,  
30 Md 485, 33  
Md 474, 37 Md  
363, 39 Md 175,  
41 Md 124, 42  
Md 381

**47.** In making up the transcript of the record of equity proceedings to be transmitted to the Court of Appeals, it shall be the duty of the clerk of the court from which the appeal may be taken, to omit therefrom the formal heading and commencement of the record, stating only the titling of the cause, and the time of the commencement of the proceeding; he shall also omit all subpoenas and other process for appearances of parties, if parties have appeared; all orders and certificates of publication, stating in lieu thereof the date of such order, the period of publication required, how published, and the time fixed for appearances of parties thereunder; all commissions to appoint guardians, and to take testimony, and the formal returns thereto, stating in lieu thereof the fact and time of issuing such commissions, and the time of their return; all entries of con-

Rules of Court  
of Appeals,  
No 11  
Transcripts of  
records, how  
made up.