

APPEAL FROM JUDGMENT ON SUPERSEDEAS.

Art 5, s 37.
 Art 18, s 25
 1828, c 200, s 11
 1860, c 132, s 3
 Appeal from
 or writ of error
 on judgment
 confessed before
 justice for stay-
 ing execution

Proceedings

Bond.

68. Any judgment, confessed before a justice of the peace for staying execution on any judgment or decree in any Circuit Court for the counties may be appealed from, or a writ of error thereon may be allowed in like manner, and there shall be the same proceedings to stay execution thereon as herein prescribed in relation to judgments rendered in courts of law; and the bond entered into on making the appeal or applying for the writ of error, and the sureties therein, shall be approved by the clerk of the court in which the original judgment or decree was rendered.

COSTS ON APPEALS FROM EQUITY OR ORPHANS' COURTS.

Art 29, s 42
 Costs in court's
 discretion.
 5 Md 612, 21
 Md 355

69. In appeals from equity and the Orphans' Court, the awarding of costs shall be in the discretion of the Court of Appeals.

Art 5, s 39
 1818, c 204, s 1
 Appeals from
 decrees, etc., of
 Orphans' Court.
 20 Md 285, 522,
 23 Md 827, 28
 Md 12, 31 Md.
 21, 32 Md 42,
 35 Md 291, 361,
 39 Md 145, 554,
 41 Md 359

APPEALS FROM ORPHANS' COURTS.

70. In all decrees, orders, decisions, and judgments made by the Orphans' Court, the party who may deem himself aggrieved by such decree, order, decision, or judgment, may appeal to the Court of Appeals.

Rules of Court
 of Appeals,
 No 13
 Within what
 time appeal to
 be taken

71. All appeals allowed from orders or decrees of the Orphans' Courts to the Court of Appeals, shall be taken and entered within thirty days after such order or decree appealed from; and the register of wills shall make out and transmit to the Court of Appeals, under his hand and the seal of his office, a transcript of the record of proceedings in such case within thirty days after the appeal prayed; but in such transcript no paper or proceeding, not necessary to the determination of the appeal, shall be incorporated.

Art 5, s 40
 1798, c 101,
 sub-c 15, s 18.
 18 Md 510, 19
 Md 73, 20 Md
 522, 21 Md 357,
 32 Md 482

Testimony to
 be reduced to
 writing.
 Cost.

72. If the decree, order, decision, or judgment, shall have been given or made on a summary proceeding, and on the testimony of witnesses, the party shall not be allowed to appeal, unless he shall immediately notify his intention, and request that the testimony be reduced to writing, and in such case the depositions shall be at the cost of the party in the first instance reduced to writing.

Art 5, s 42
 1798, c 101, sub-
 c 2, s 11, sub-c
 15, s 18
 Decision on ap-
 peal from Or-
 phans' Court
 final
 1 Gill 358.

73. The Court of Appeals shall either affirm the decree, judgment, decision, or order of the court below, or direct in what manner it shall be changed or amended, and the decision of the Court of Appeals shall be final and conclusive, and when certified under the seal of the court, and transmitted to the Orphans' Court, the Orphans' Court shall proceed according to the tenor and directions thereof.

Art 5, s 48.
 1798, c 101, sub-
 c 15, s 19
 In what cases
 appeal not to
 stay proceed-
 ings
 23 Md 319, 26
 Md 410, 41 Md.
 354

74. An appeal from the Orphans' Court shall not stay any proceedings therein which may, with propriety, be carried on before the appeal is decided, *provided*, the said Orphans' Court can provide for conforming to the decision of the Court of Appeals, whether the said decision may eventually be for or against the appellant.

Proviso.