

STAY OF EXECUTION.

- No execution shall issue on any judgment obtained in the court of appeals or general court, or any decree in the chancery court, provided the debtor shall come before one judge of the general court, one justice of the county court, or two justices of the peace where he resides, within two months after the rendition of such judgment, and, with two other persons to be approved by such judge, &c. confess judgment for the debt and costs in the manner and form herein prescribed—1791, ch. 67, sec. 1,* 274
- Such confession shall be signed by the judge, &c. and a certificate thereof procured under his hand, which shall be a sufficient supersedeas to the sheriff to forbear serving the execution—1791, ch. 67, sec. 1, 274
- Execution may be stayed on judgment rendered by a single magistrate, on such confession of judgment, &c. before a justice of the peace of the county, with security, such as he shall approve, to be signed and certified as in other cases—1791, ch. 67, sec. 3,* 275
- Execution may be issued at any time within the two months before the judgment is superseded, the day of issuing the execution to be endorsed, and the time of superseding certified—Nov. 1792, ch. 74, 289
- If the party be taken in execution, such certificate afterwards obtained shall be a sufficient supersedeas to the sheriff to release the prisoner upon that execution, he paying or securing his fees for that imprisonment—1791, ch. 67, sec. 4, 276
- The judge, &c. shall return the judgments so confessed to the clerk where the first judgment was obtained, or (if on a judgment by a single magistrate,) to the clerk of the county, by the next court in course after, to be entered on record, under the penalty of £3—1791, ch. 67, sec. 4,* 276
- After the expiration of the time limited in such confession, execution may be taken out without any scire facias, or other delay, against the principal or security, or all or either of them, for such judgment so confessed—1791, ch. 67, sec. 4, 276
- Directions as to the return of supersedeases and issuing executions thereon—1801, ch. 62, 435
- As to fines on constables, and judgments against them for neglect—1806, ch. 21, 538
- As to superseding judgments exceeding £10—1809, ch. 76, 566
- As to executions on judgments assigned—1811, ch. 174, 606
- See *Small Debts*.
- Executors and administrators authorized to supersede and stay execution against the goods of their testator or intestate—1820, ch. 80, sec. 3, 728
- One justice to take supersedeases, where two justices were before required—1820, ch. 80, sec. 4, 728

* See notes to this chapter, where the law, as it now exists under its various modifications, is to be found.