

44. A garnishee in whose hands any such attachment is laid, shall have the same rights and be subject to the same liabilities as if such attachment had issued from the Circuit Court; but to avail himself of his rights he must appear at the return of the attachment, and he shall not have the four days thereafter for his appearance allowed in the Circuit Court.

SUPERSEDEAS AND EXECUTION.

45. No execution shall issue upon any judgment or decree obtained in any court of record of this State; *Provided*, the defendant therein shall come before a justice of the peace of the county where such judgment or decree was rendered, within two months after the rendition of such judgment or decree, and together with two other persons, such as the said justice shall approve of, confess judgment for his debt and costs of suit, adjudged or decreed, with stay of execution for six months thereafter; which confession shall be made in manner and form following, that is to say: "You, ———, do confess judgment to ———, for the sum of ——— and costs, which were recovered by the said ———, against ———, on the ——— day of ———, in the ——— court; the said ——— to be levied of your goods or chattels, lands or tenements, for the use of the said ———, in case the said ——— shall not pay and satisfy to the said ———, so as aforesaid recovered against him, with the additional costs thereon, on the ——— day of ——— next." Which confession shall be signed by the justice before whom the same is made, and forthwith returned to the clerk of the court in which the judgment or decree was rendered, who shall record the same; if the judgment was rendered in the Court of Appeals, the confession aforesaid may be made before a justice of the peace in the county or city where the defendant resides.

46. The plaintiff in any judgment or decree may issue execution thereon, at any time within two months after the rendition of the same or after expiration of the stay which may be entered thereon, unless the defendant shall supersede the same as provided in the preceding section; but if the defendant shall supersede as aforesaid, within the two months, it shall stay any execution previously issued, and the sheriff shall not proceed on such execution, if the defendant shows him a certificate of the justice that the judgment has been superseded, the defendant paying the cost of the execution.