judgment recovered in the court of common pleas, the superior court of Baltimore City or the Baltimore City court, but such *supersedeas* shall be taken by the clerks of said courts respectively.

Where clerk corrects an erroneous date inadvertently filled in, the judgment of *supersedeas* should be struck out. How mistakes in *supersedeas* should be corrected. Bowes *v.* Isaacs, 33 Md. 539; Smith *v.* Bowers, 38 Md. 465; Backus *v.* State, 118 Md. 540.

The original judgment is not merged or destroyed by judgment of *supersedeas;* plaintiff may pursue his remedy at his option, either on original or *supersedeas* judgment. (See sec. 74). Smith *v.* Anderson, 18 Md. 526.

In taking a *supersedeas,* the clerk should pursue the simple form contained in this section. Backus *v.* State, 118 Md. 542.

The act of 1791, ch. 67, sec. 4, was altered as to magistrate's judgments by the act of 1801, ch. 62 (see sec. 71). Candler *v.* Fisher, 11 Md. 336.

Cf. sec. 64, *et seq.* See art. 17, sec. 39, *et seq.*

As to executions, see also art. 26, sec. 21, and art. 83, sec. 1, *et seq.*

An. Code, 1924, sec. 60. 1912, sec. 57. 1904, sec. 55. 1888, sec. 53. 1791, ch. 67, sec. 4. 1792, ch. 74, sec. 1.

62. 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shall not proceed on such execution if the defendant shows him a certificate of the justice that the judgment has been superseded, the defendant paying the cost of the execution.

An. Code, 1924, sec. 61. 1912, sec. 58. 1904, sec. 56. 1888, sec. 54. 1826, ch. 194, sec. 2. 1829, ch. 166, sec. 1. 1830, ch. 80. 1834, ch. 126.

63. The stay of execution on a *supersedeas* taken under the preceding sections shall be computed from the date of the *supersedeas,* but where a judgment has been confessed in the circuit court at the second term thereof with stay of execution till the next term, the stay of execution by *supersedeas* on such judgment shall be computed from the first Thursday of the term next ensuing the said second term; and when the judgment of a justice of the peace is superseded, the stay of execution shall be computed from the date of the judgment and not from the date of the *supersedeas.*

This section referred to in construing section 61—see notes thereto. Backus *v.* State, 118 Md. 540.

Cited but not construed in Bowes *v.* Isaacs, 33 Md. 540.

An. Code, 1924, sec. 62. 1912, sec. 59. 1904, sec. 57. 1888, sec. 55. 1820, ch. 80, sec. 3.

64. Administrators may supersede judgments rendered against them in the same manner that other persons may, but by doing so an administrator renders himself liable for the amount of the judgment and costs.

This section referred to in construing sec. 61—see notes thereto. Backus *v.* State, 118 Md. 540.

An. Code, 1924, sec. 63. 1912, sec. 60. 1904, sec. 58. 1888, sec. 56. 1826, ch. 194, sec. 1.

65. If the form of a *supersedeas* above given be not precisely followed, it shall not invalidate the *supersedeas;* provided it is in substance and meaning similar to said form.

Cited but not construed in Bowes *v.* Isaacs, 33 Md. 539.