

may be made before a justice of the peace in the county or city where the defendant resides.

Art 18, s 25
1860, c 132, s 3
Supersedeas in
Baltimore city.
33 Md 535

42. It shall not be lawful for the justices of the peace of the city of Baltimore to take supersedeas of any judgment recovered in the Superior Court of Baltimore City, the Court of Common Pleas, or the Baltimore City Court; but such supersedeas shall be taken by the clerks of said courts respectively

Art 51, s 46
1792, c 74, s 1
Execution may
issue before
supersedeas
33 Md 535

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not proceed on such execution, if the defendant shows him a certificate of the justice that the judgment has been superseded, the defendant paying the cost of the execution.

Effect of super-
sedeas on exe-
cution

44. 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the first Thursday of the term next ensuing the said second term, and when the judgment of a justice of the peace is superseded, the stay of execution shall be computed from the date of the judgment, and not from the date of the supersedeas.

Id s 47
1791, c 67, s 2,
1826, c 194, s 1,
1829, c 166, s 1,
1830, c 80,
1834, c 120
From what time
stay of execu-
tion computed

45. 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.

Id s 48
1820, c 80, s 3
Administrators
may supersede.

46. 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.

Id s 49
1826, c 194, s. 1
Want of form
not to invali-
date

47. No execution shall issue on any judgment rendered by a justice of the peace if the defendant therein, within two months after the rendition of such judgment, shall go before the justice of the peace who rendered the same, together with security such as the justice shall approve, and confess judgment for the debt and costs of suit adjudged, with stay of execution for six months if the amount of the judgment is thirty dollars or less, and if the amount of the judgment is more than thirty dollars, then with stay of execution for twelve months; the said confession to be in the form heretofore prescribed.

Id s 50
1791, c 67, s. 3;
1809, c 76, s. 2,
1834, c 257
When and how
judgments of
justices may be
superseded.

48. If the justice who rendered the judgment be dead, or out of office, the defendant may supersede the same before any other justice of the same county upon a short copy of the judgment.

Id s 51
1809, c 76, s 3
Proceeding
where justice
who rendered
judgment be
dead, or out of
office.

49. A justice of the peace may take one person as security on a supersedeas of a judgment of a justice of the peace

Id s 52
1834, c 257, s 2
One person may
be taken as
security

50. If a justice in taking a supersedeas reads over the form here-

Id s 53