

then the said bond to be and remain in full force and virtue, otherwise of no effect.

Johnson *v* Goldsborough, 1 H. & J. 499. Beatty *v*. Chapline, 2 H. & J. 7. Karthaus *v*. Owings, 6 H. & J. 138. Thompson *v*. McKim, 6 H. & J. 302. Smith *v*. Dorsey, 6 H. & J. 261. Wood *v*. Fulton, 2 H. & G. 71. Ringgold's Case, 1 Bland, 5. McKim *v*. Odom, 3 Bland, 413. McKim *v*. Mason, 3 Md. Ch. Dec. 213. Ohio Life Ins. & T. Co. *v*. Winn, 4 Md. Ch. Dec. 270. Brewer *v*. Smith, 3 Gill, 300. Price *v*. Thomas, 4 Md. 514. Tucker *v*. State, 11 Md. 322. Lovejoy *v*. Irelan, 17 Md., 525. M. & C. C. *v*. B. & O. R. R. Co., 21 Md., 52. Fullerton *v*. Miller, 22 Md. 1. Mottu *v*. Plumrose, 23 Md. 483. Eakle *v*. Smith, 24 Md. 339. Jenkins *v*. Hay, 28 Md. 547. Barnum *v*. Barnum, 42 Md., 251. Knell *v*. Briscoe, 49 Md., 414.

P. G. L., (1860,) art. 5, sec. 32. 1826, ch. 200, secs. 3-4-5. 1864, ch. 322.

**52.** The clerk or judge of any court of law or equity, shall approve any bond under the preceding section, but no appeal bond in any case shall be approved, and no execution upon any judgment, order or decree in any of the courts of law or equity, shall be stayed or delayed by an appeal, unless the person against whom such judgment, order or decree has been recovered or passed, his heirs, executors or administrators, shall upon praying such appeal, file in the case an affidavit that said appeal is not taken for delay.

Nutwell *v*. Nutwell, 47 Md., 47. Rau *v*. Bennis, 49 Md. 316. Meloy *v*. Squires, 39 Md. 175. Meloy *v*. Squires, 42 Md. 378.

Ibid. sec. 33. 1840, ch. 232. 1861, ch. 17. 1863, ch. 249. 1864, ch. 268.

**53.** The filing of an appeal bond approved as aforesaid and of said affidavit shall stay any execution which has been issued on any such judgment or decree, whether the same has been in part executed or not; and the sheriff or other officer in whose hands the execution may be, upon the exhibition to him of satisfactory evidence that an appeal bond has been filed and approved, and that said affidavit has been filed, and upon the receipt of the costs which have accrued on said execution, shall stay all further proceedings, and deliver up the property; provided, that this section shall not extend to appeals from courts of common law rendered by confession, or to any judgment rendered on verdict,