

or attachment, or other proper writ, to be issued at any time after the entry of judgment as aforesaid and before the expiration of said stay.

1888, ch. 185.

**74.** Nothing in the nine preceding sections shall prevent a defendant from filing a demurrer to the plaintiff's declaration instead of pleading thereto, but the filing of such demurrer shall not prevent the plaintiff from obtaining judgment by default against the defendant, according to the provisions of the preceding sections, unless the defendant, or some one in his behalf, shall, at the time of filing such demurrer, also make oath or affirmation, to be filed in the case, that such demurrer is not interposed for the purpose of delay.

*Ibid.*

**75.** The clerk of said court shall have full power and authority to enter judgments by default under the rules of said court, according to the provisions of section 70, in the absence of the judge, but shall not have authority to extend such judgments or assess the damages, which shall alone be done by the order and under the direction of said court, or one of the judges thereof.

P. L. L., (1860,) art. 11, sec. 41.

**76.** In all cases in the circuit court for Frederick county, where at the trial thereof exceptions shall be taken to any opinion or direction of the court, and an appeal or writ of error shall be taken or sued forth, from or upon the judgment of the court, all the exceptions of all the parties, plaintiffs and defendants, that may have been taken, and whether the appeal or writ of error be taken or sued out by all or any of said parties, shall be certified to the court of appeals as part of the transcript of the record to that court, and shall by said court be decided; and the decision of said court in the premises, if the cause be remanded to the circuit court, shall be accordingly certified to the circuit court.

Balto. & Ohio R. R. Co. v. State, 41 Md 292.

*Ibid.* sec. 42.

**77.** All exceptions as aforesaid shall be certified to the court of appeals, although the bills relating to any of them shall not have been actually drawn at length, or signed by the court before