

II. AND BE IT ENACTED, That from and after the tenth day of May aforesaid, no execution against the body or goods of any person or persons in this state shall issue on any judgment or decree obtained in any county court or orphans court, provided such person or persons shall go before any justice of the county court, or two justices of the peace, of the county where such judgment or decree is obtained, within two months after the rendition of such judgment, and, together with two other persons, such as the said justice or justices shall approve of, confess judgment for his debt, and costs of suit adjudged or decreed, with stay of execution as aforesaid, which confession shall be in manner and form as aforesaid, and such confession shall be signed by the justice or justices taking the same, and certificate thereof procured under the hand of him or them; and such certificate shall be a sufficient *superfedeas* to the sheriff as herein before mentioned.

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No execution to issue in certain cases, &c.

III. AND BE IT ENACTED, That from and after the tenth day of May aforesaid, no execution for the body or goods of any person or persons in this state shall issue on any judgment rendered by a single magistrate, provided such person or persons shall go before any justice of the peace of the county wherein such judgment shall be obtained, within two months after the rendition of such judgment, and, together with security, such as the justice shall approve of, confess judgment for the debt, and costs of suit adjudged, with stay of execution as aforesaid; which confession shall be in manner and form as aforesaid, and shall be signed by the justice taking the same, and certificate thereof shall be procured under his hand, which shall be a sufficient *superfedeas* as aforesaid.

Nor on certain judgments, &c.

IV. AND BE IT ENACTED, That if the party be taken in execution before any certificate, provided the confession of judgment therein certified shall have been made within two months after the rendition of the original judgment as aforesaid, be produced as aforesaid, such certificate, being afterwards obtained, shall be a sufficient *superfedeas* to the sheriff to release such person out of prison upon that execution, the party paying or giving security to such sheriff for his fees due for that imprisonment, and the judge, justice or justices, before whom such judgment shall be confessed as aforesaid, shall return the same to the clerk or register, as the case may be, of the respective court where the first judgment was obtained, or, in case the said confession was on the judgment of a single magistrate, to the clerk of the county wherein such judgment was rendered, by the next court in course which shall be held after the taking the said confession, to be entered on record, under the penalty of three pounds current money for every neglect, to be recovered by any person who shall sue for the same, by action of debt or bill of indictment, in the county court of the county where the said judge, justice or justices reside; for which entry such clerk or register shall receive, as a fee, five pounds of tobacco, and after the expiration of the time limited in such confession, it shall be lawful to take out execution thereon without any *scire facias*, or any other delay, against either the principal or the security, or all or either of them, for such judgment so confessed as aforesaid, any law, usage or custom, to the contrary in anywise notwithstanding.

Certificate, in certain cases, to be a *superfedeas*, &c.

V. AND BE IT ENACTED, That from and after the tenth day of May aforesaid, an act for stay of execution after the tenth day of May yearly, passed in the year seventeen hundred and fifteen, \* and all supplementary acts thereto, shall be and they are hereby repealed, and also the fourth, fifth and sixth sections of an act, entitled, A supplementary act to the act for relieving the inhabitants of this province from some grievances in the prosecution of suits at law, passed in seventeen hundred and twenty-eight; † provided always, that after the said tenth day of May, the same proceedings may be had, in all respects, upon any judgments confessed before the said tenth day of May, under and in virtue of the said acts, or any of them, and such judgments shall be as good and effectual, to all intents and purposes, as if this act had not been passed.

Acts repealed. \* Chapter 33.

† Chapter 24.

VI. PROVIDED, That nothing in this act contained shall affect any judgment obtained, or to be obtained, or any execution issued, or to be issued, by virtue of the act, entitled, An act to establish a bank in Baltimore town.\*

Proviso. \* 1790, ch. 5.

C H A P. LXVIII.

An ACT for the speedy recovery of small debts out of court, and to repeal the acts of assembly therein mentioned. Lib. JG. No. 1. fol. 475.

Passed 29th of Dec. 1791.

BE IT ENACTED, by the General Assembly of Maryland, That from and after the first day of March next, in all cases where the real debt and damages doth not exceed ten pounds current money, or one thousand pounds of tobacco, it shall and may be lawful for any one justice of the peace of each respective county wherein the debtor doth reside, to try, hear and determine the matter in contro-

One justice may determine, &c.