

within the time prescribed by law after the appeal therein shall have been entered, or the writ of error produced, he shall forfeit and pay the sum of one hundred dollars, to be recovered by any person who shall prosecute or sue for the same; and such clerk or register shall moreover be liable to the party appellant, or party suing out such writ of error, for such damages as he, she or they, may sustain by such refusal or delay as aforesaid.

If no record shall be transmitted court, &c. to fine clerk, &c.

SEC. 8. *And be it enacted,* That if a transcript or record of the proceedings of any judgment or decree, wherein there may be an appeal or writ of error as aforesaid, shall not be transmitted to the court of appeals within the time prescribed by law for such appeal being made, or writ of error produced, it shall and may be lawful for the county court of the county, or other inferior court, wherein the judgment or decree shall have been rendered, or the chancellor, as the case may be, on the production of a certificate from the clerk of the court of appeals of the shore, stating that no transcript or record of proceedings of such judgment or decree hath been transmitted to or filed in his office, to fine the clerk or register, as the case may be, in a sum of money not exceeding one hundred dollars, unless a satisfactory reason shall be given by such clerk or register, for his neglect or delay in not transmitting a transcript or record of the proceedings as aforesaid.

Sureties in bonds to be liable for fees, &c.

SEC. 9. *And be it enacted,* That the sureties named in any appeal or writ of error bond as aforesaid, and each of them, shall be answerable for and liable to the clerk or register, for all fees to which he shall be entitled by law for making such transcript or record, and transmitting the same as aforesaid; and they may be compelled to pay such fees, in the same manner as if the services had been performed for them, in case of the insolvency or insufficiency of the party appellant, or party suing out such writ of error; and such sureties shall, in like manner, be answerable for, and liable to pay all fees which may accrue in the court of appeals, against the party appellant, or party suing out such writ of error.

Appeals, &c. to be admitted in the court of appeals. How to be regulated.

SEC. 10. *And be it enacted,* That all appeals made, and writs of error sued out in manner aforesaid, shall be admitted and allowed by the court of appeals, and all necessary proceedings be permitted to be had thereon; and the court of appeals shall make such regulations as may be right and proper, for hearing and determining the same; and shall upon the transcript so transmitted on any appeal or writ of error as aforesaid, and the proceedings thereon, give judgment, or award a writ of proceeding for a rehearing of the case, as shall appear to be just.

Judgments confessed by way of

SEC. 11. *And be it enacted,* That any judgment confessed before two justices of the peace, for staying execution on any judgment or decree rendered in any county court, may be ap-