

LEMUEL TRACY *versus* J. PERRY, et a.

Writs of error are judicial writs, and need not be endorsed.

THIS was a writ of error, brought to reverse a judgment of the court of common pleas.

J. Parker, for the defendants in error, moved the court to quash the writ of error, because it had not been endorsed, and he cited Tidd's Prac. 1051, and 982, note a ; 3 Greenleaf, 216 ; *Clap v. Balch*.

Handerson, for the plaintiff.

By the court. We are of opinion, that neither writs of error, writs of review, nor writs of *scire facias* against bail and against endorsers of writs, are original writs within the meaning of the statute, which requires such writs to be endorsed. They are judicial, and not original writs. 3 Bl. Com. 282 ; 16 Mass. Rep. 74, *Grosvenor v. Danforth* ; 9 Mass. Rep. 217, *Campbell v. Stiles*. The writ cannot therefore be quashed on this ground.

JUSTUS PERRY *versus* LEWIS PAGE.

A justice of the peace may render a judgment upon a confession under the statute of December 20, 1808, for a sum exceeding thirteen dollars and thirty four cents.

DEBT upon a judgment rendered by a justice of the peace in this county on the 27th September, 1819, in favor of the plaintiff, against the defendant, for \$122,32 debt, and 1,60 costs of suit.

The cause was tried here at October term, 1829, and a verdict taken, by consent, for the plaintiff, subject to the opinion of the court upon the following case.

On the 27th September, 1819, Page, the defendant, went before Foster Alexander, one of the justices of the peace in this county, and confessed that he was indebted