

An. Code, 1924, sec. 19. 1912, sec. 17. 1904, sec. 17. 1888, sec. 16. 1840, ch. 96, sec. 1.

26. The clerk of any court may enter any judgment or decree satisfied upon the order in writing of the plaintiff or his attorney, and shall file such order among the papers in the cause.

The power conferred by this section is not judicial, but ministerial, and the clerk discharges such power subject to the control of the court. The object of this section discussed. Where the clerk is directed to enter a judgment satisfied upon payment of costs, and such judgment is entered satisfied without the condition being performed, the act is nugatory. *Waters v. Engle*, 53 Md. 181.

This section does not affect the question of an attorney's authority to enter an order of satisfaction. It was intended to give the clerk power to enter such order without an order of court. *B. & O. R. R. Co. v. Fitzpatrick*, 36 Md. 629.

The filing of a receipt for a less sum than is due, though stated to be in full against one defendant, held not to be an order of satisfaction under this section. This section must be strictly complied with. *Campbell v. Booth*, 8 Md. 117.

An. Code, 1924, sec. 20. 1912, sec. 18. 1904, sec. 18. 1888, sec. 17. 1846, ch. 292.

27. The clerk of any court having the custody of dockets of justices of the peace may enter satisfied any judgment standing open upon such dockets, upon the production by the party applying for such entry of the receipt of the plaintiff in the judgment, attested by a justice of the peace.

Cited in holding that Court can strike out recorded magistrate's judgment. *Yealdhall v. Maskol* (Judge Dennis, Balto. Superior Ct.), Daily Record, Feb. 14, 1940.

An. Code, 1924, sec. 21. 1912, sec. 19. 1904, sec. 19. 1888, sec. 18. 1817, ch. 119, sec. 9. 1845, ch. 254, sec. 1. 1849, ch. 505.

28. The clerk of every court of law or equity, except the court of appeals, shall provide one or more well-bound books, and immediately after each term of his court, enter and transcribe therein the docket entries of each civil suit and action, legal and equitable, which shall have been ended during the said term by trial, judgment, decree, agreement, *non pros.* or abatement; and such transcript shall contain the style or names of the parties, the nature of the case, the docket entries, and, if superseded, the name or names of the superseders, and other memoranda as they appear upon the docket, and the judgment, decree, order or agreement by which the several actions or suits were terminated; and the bills of costs recoverable by the party in whose favor they shall have been awarded shall be likewise transcribed and entered; and the said books shall be truly and regularly paged and alphabetically indexed with the names of plaintiffs and defendants, and the whole completed before the ensuing term of the court.

Proceedings for the sale of mortgaged property, must be recorded so as to put any person dealing with the subject matter upon notice. *Sanders v. McDonald*, 63 Md. 510.

In view of this section and sec. 30, any person dealing with the subject matter of a decree for the sale of real estate, must be taken to have notice of the legal import and operation of all the proceedings. *Sanders v. McDonald*, 63 Md. 510.

The failure to enter a judgment on the original trial docket before entry thereof in accordance with this section, is nothing more than a clerical error which the court will correct upon application. It is no ground for striking out the judgment. *Bond v. Citizens' Bank*, 65 Md. 499.

The records of courts are public property, and if they are not properly made up or preserved, the state must supply the defect, and the bond of the clerk is liable. *State v. Wayman*, 2 G. & J. 282.

Where the case is not terminated this section does not apply. *State v. Logan*, 33 Md. 9.

This section referred to in construing art. 26, sec. 20. *Messinger v. Eckenrode*, 162 Md. 69.

An. Code, 1924, sec. 22. 1912, sec. 20. 1904, sec. 20. 1888, sec. 19. 1845, ch. 254, secs. 1, 2.

29. The said clerks shall also transcribe and enter the docket entries of every execution which shall be entered satisfied or otherwise finally