

An. Code, sec. 44. 1904, sec. 42. 1888, sec. 40. 1849, ch. 269, sec. 1.

46. Such attachment shall be returnable before the justice who issued the same upon a day certain to be named therein, not less than twenty nor more than thirty days from the date of the issuing thereof.

An. Code, sec. 45. 1904, sec. 43. 1888, sec. 41. 1849, ch. 269, sec. 1. 1914, ch. 337.

47. There shall be issued with every attachment a writ of summons against the defendant and at the time of issuing the attachment, notice thereof shall be given by setting up at three or more public places in the election district or ward in which such attachment may issue, at least ten days before the return day thereof, an affidavit of the truth of the particulars of the plaintiff's claim, together with a copy of such claim and also a copy of such attachment.

Decision in *Campbell v. Webb*, 11 Md. 480, to effect that short-note was essential and the notice prescribed by act of 1849, ch. 269, was no longer required, is not now law by reason of omission from Code of 1860 and subsequent codes of act of 1852, ch. 239, thus leaving former act still in force.

An. Code, sec. 46. 1904, sec. 44: 1888, sec. 42. 1849, ch. 269, sec. 1.

48. If the defendant or the garnishee in whose hands property may be attached shall not show cause to the contrary, the justice may condemn such property; provided, he is satisfied by the oath of the plaintiff or by other proof that the notice required above has been given.

Cited but not construed in *Weed v. Lewis*, 80 Md. 129.

An. Code, sec. 47. 1904, sec. 45. 1888, sec. 43. 1849, ch. 269, sec. 2.

49. The plaintiff in an attachment, before execution on any judgment of condemnation shall be issued, shall give bond to the defendant in such penalty as the justice of the peace shall direct, not less than double the amount of the judgment of condemnation, with good and sufficient security to be approved by the said justice and conditioned to make restitution of the property so condemned, or the value thereof, and to pay such damages as may be awarded to the defendant, if the defendant shall at any time within twelve months and a day from the date of issuing the attachment appear, either in person or by his agent, before the justice issuing such attachment, or before some other justice of the same county, and make it appear that the plaintiff has satisfied the said debt, or show that it ought not to be paid, or that the said defendant was not indebted to the plaintiff at the time of issuing said attachment.

This section held to have no application. *Weed v. Lewis*, 80 Md. 129.

An. Code, sec. 48. 1904, sec. 46. 1888, sec. 44. 1824, ch. 74, sec. 2. 1849, ch. 269, sec. 1.

50. A garnishee in whose hands any such attachment is laid shall have the same rights and be subject to the same liabilities as if such attachment had issued from the circuit court for the county or the superior court of Baltimore city, the court of common pleas or the Baltimore city court; but to avail himself of his rights he must appear at the return of the attachment; and he shall not have the four days thereafter for his appearance allowed in said courts.

Cited but not construed in *Weed v. Lewis*, 80 Md. 129.