

Several Attachments.

45. When plaintiff may have. Costs.
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Claimants of Property.

47. Claimant of property under attachment or execution. Petition and proceedings.

48. Property attached to be discharged from levy and surrendered to claimant upon filing of approved bond.
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Attachment Before Maturity of Plaintiff's Claim.

50. Attachment proceedings before maturity of the plaintiff's claim.

Attachments Against Non-Resident and Absconding Debtors.

An. Code, sec. 1. 1904, sec. 1. 1888, sec. 1. 1832, ch. 280, sec. 1. 1854, ch. 153, sec. 1.

1. Every person and every body corporate that has the right to become a plaintiff in any action or proceeding before any judicial tribunal in this State shall have the right to become a plaintiff in an attachment against a non-resident of this State, or against a person absconding.

A non-resident of Maryland may be plaintiff. *Hodgson v. Southern Bldg. Assn.*, 91 Md. 446.

Though a non-resident corporation at the time it sues out an attachment in Maryland has not qualified to do business in this state, if it does so qualify before trial, the attachment can be maintained. *Kendrick v. Warren*, 110 Md. 71.

The disability of the plaintiff to sue, should be raised by plea in abatement, and not by motion to quash. *Albert v. Freas*, 103 Md. 590.

An. Code, sec. 2. 1904, sec. 2. 1888, sec. 2. 1817, ch. 138. 1832, ch. 280, sec. 1. 1854, ch. 153, sec. 2. 1916, ch. 596, sec. 2.

2. Every person who doth not reside in this State, and every person who absconds, may be made a defendant in an attachment; and any corporation not chartered by this State, or any corporation chartered by this State, which for a period of ten days next preceding is without at least one resident agent, whose name and postoffice address is given in its charter or filed with the State Tax Commission in conformity with Section 11 of Article 23, may be made a defendant in an attachment in the same manner as non-resident individuals, unless such corporation shall have been incorporated under the laws of this State prior to June 1, 1916, and have at least one director who is a citizen of this State actually residing therein.

Who is a "non-resident"? *Blair v. Winston*, 84 Md. 358; *Risewick, v. Davis*, 19 Md. 82; *Dorsey v. Kyle*, 30 Md. 518; *Dorsey v. Dorsey*, 30 Md. 530; *McKim v. Odom*, 3 Bl. 428.

If the defendant is in fact a non-resident, his being summoned does not defeat the attachment. *Blair v. Winston*, 84 Md. 358.

Any non-resident of Maryland may be defendant, but the subject of the attachment or garnishment must be property or credits for which the defendant in the attachment could have sued the garnishee in this state. *Hodgson v. Southern Bldg. Assn.*, 91 Md. 447; *Cromwell v. Royal Ins. Co.*, 49 Md. 373; *Myer v. Liverpool, etc., Co.*, 40 Md. 595. And see *Farley v. Colver*, 113 Md. 385.

A resident may attach property located in Maryland of a non-resident alien enemy. *Hepburn's Case*, 3 Bl. 120.

An act of congress exempting a national bank or its property from attachment before final judgment, is valid. *Chesapeake Bank v. First National Bank*, 40 Md. 269.