

may be certified by the clerk of the superior court of Baltimore City, when the affidavit is made in that city; or if the affidavit be made out the State, and before a judge of a court of record, there shall be a certificate from the clerk of said court, under the seal thereof, that at the time the same was made he was a judge of said court, and that the same is a court of record; or if made before a commissioner of this State, the same shall be certified under his official seal.

The certificate attached to the affidavit is fatally defective if it does not show that the court presided over by the judge before whom the oath is made is a court of record. *Coward v. Dillinger*, 56 Md. 61; *Evesson v. Selby*, 32 Md. 344. See also *Prentiss v. Gray*, 4 H. & J. 200.

The Governor's certificate as to the power of the judge to take the affidavit, held to substantially comply with this section. *Washington v. Hodgskin*, 12 G. & J. 356.

An. Code, 1924, sec. 7. 1912, sec. 7. 1904, sec. 7. 1888, sec. 7. 1795, ch. 56, sec. 1. 1832, ch. 280, secs. 2 and 3. 1876, ch. 112.

7. The affidavit required by the preceding sections may be made by the creditor, or one of them where there are more than one, or by the agent of the creditor or creditors; by the president, cashier or other officer of a corporation; by any executor or administrator; or where the attachment is to be issued in the name or in behalf of an infant, by the guardian of such infant or by the infant himself; or by the husband of a *feme covert*, or by the committee of a lunatic.

The affidavit may be made by an agent as such, and need not state that the affiant is the agent of the plaintiff, or that the affidavit is made on behalf of the plaintiff. *Stockbridge v. Fahnestock*, 87 Md. 133; *Power v. Asphalt Products Corp.*, 162 Md. 185.

An. Code, 1924, sec. 8. 1912, sec. 8. 1904, sec. 8. 1888, sec. 8. 1795, ch. 56, sec. 1. 1888, ch. 507. 1935, ch. 546, sec. 8.

8. Upon making the affidavit and producing the proofs before the clerk of the court from which such attachment is to issue, or upon presenting to said clerk the affidavit and proofs when said affidavit is not made before him, he shall issue an attachment against the lands, tenements, goods, chattels and credits of said debtor, and other writs of attachment, founded on the original affidavit and proofs set out aforesaid, may be issued by said clerk from time to time either before the return day next succeeding said original affidavit and proofs or any time thereafter.

All lands, tenements, goods, chattels, rights and credits are subject to attachment by way of garnishment. Nature of garnishment; obligation of garnishee. Attachment covers all property or credits of debtor in hands of garnishee down to trial. See notes to art. 14A, sec. 25. *Int. Bedding Co. v. Terminal Warehouse Co.*, 146 Md. 488.

By the levy of a writ of attachment, an inchoate lien is acquired. *Buschman v. Hanna*, 72 Md. 6; *May v. Buckhannon Lumber Co.*, 70 Md. 449; *Thomas v. Brown*, 67 Md. 517; *Cook v. Cook*, 43 Md. 530.

But there is no such lien as a court of equity will recognize until a judgment of condemnation is entered. *Rhodes v. Amsinck*, 38 Md. 356.

No lien is acquired by the mere issue of an attachment. *May v. Buckhannon Lumber Co.*, 70 Md. 449.

A clerical error in the date of the writ is not fatal. *McCoy v. Boyle*, 10 Md. 395.

This section referred to in construing secs. 10 and 35—see notes thereto. *Harris v. Balk*, 198 U. S. 215.

An. Code, 1924, sec. 9. 1912, sec. 9. 1904, sec. 9. 1888, sec. 9. 1795, ch. 56, sec. 3. 1935, ch. 546, sec. 9.

9. There shall be issued with every original attachment, but not with other or successive attachments in the same proceeding as authorized in Section 8, a writ of summons against the defendant and a declaration or short note, expressing the plaintiff's cause of action, shall be filed, and