

Not to be discharged until trial without payment or security

discharged from such execution until the trial of the plea, unless he shall pay and satisfy the execution, or give bond payable to the State, before the sheriff, or enter into recognizance in court with one good and sufficient security in double the forfeiture and costs due upon such execution, conditioned to appear and plead in discharge of the said execution, and to abide by and fulfil the judgment of the court thereupon.

Id s 19  
1856, c 112, s 94  
In what cases defendant may pay money into court by way of compensation.

**§ 1.** It shall be lawful for the defendant, or for one or more of several defendants in all actions (except actions for assault and battery, false imprisonment, libel, slander, malicious arrest, or prosecutions, criminal conversation, or debauching of the plaintiff's daughter or servant), to pay into court a sum of money, by way of compensation or amends.

Id s 20  
1856, c 112, s 96  
Plaintiff may reply and accept

**§ 2.** The plaintiff, after payment of money into court, shall be at liberty to reply to the same, by accepting the sum so paid into court in full satisfaction and discharge of the action, and he shall be at liberty in such case to have his costs taxed, and, if they be not immediately paid, he shall have judgment for the costs so taxed; or the plaintiff may reply that the sum paid into court is not enough to satisfy the claim of the plaintiff in respect of the matter to which the plea is pleaded; and, in the event of an issue thereon being found for the defendant, the defendant shall be entitled to his costs of suit, and the plaintiff to so much of the sum paid into court as shall be found for him.

May have judgment for costs

Issue found for defendant carries costs.

Art 45, s 12.  
1798, c 101,  
sub-c 5, s 8  
How husband to declare in suits in right of wife after her death.  
38 Md 175.

**§ 3.** A husband bringing a personal action to recover in right of his wife after her death, may declare, specially setting forth in the usual manner, how the debt or right accrued to his wife, and stating further, that by marriage the debt or right devolved on him.

#### FORMS OF PLEADINGS.

Art 75, s 22.  
1856, c 112, ss  
58, 137.  
Forms of pleadings

**§ 4.** The forms of pleadings which follow shall be sufficient; and the like forms may be used, with such modifications as may be necessary to meet the facts of the case; but nothing herein contained shall render it erroneous or irregular to depart from said forms, so long as substance is expressed

#### *Commencement of Declarations.*

Commencement of declarations.

A. B., by S. T., his attorney (or in person, as the case may be), sues C. D. for (here state the cause of action).

#### *Conclusion of Declarations.*

Conclusion of same

"And the plaintiff claims therefor \$——" (or if the action is brought to recover specific goods), "the plaintiff claims a return of the said goods or their value, and \$——, for their detention."