

11. It shall not be lawful for any judge to order a mandamus to issue in the alternative, but in all cases where a mandamus shall be ordered to issue, it shall be peremptory in form.

Id s 11
1858, c. 285, s 6.
Alternative
mandamus not
lawful

III.—CERTIORARI.

Bond in *certiorari* in cases of landlord and tenant, and forcible entry and detainer

Upon the allowance of any writ of *certiorari* for the removal of the proceedings by a justice of the peace, between landlords and tenants, and also in all cases of inquest for a forcible entry and detainer, or a forcible detainer, the party obtaining the said writ of *certiorari*, shall give bond with security to the opposite party, to be approved by the judge or clerk of the court allowing the writ, in such penalty as the said judge or clerk shall direct, conditioned for the payment of all costs and damages that may be incurred or suffered by the delay of the proceedings, if the matter in controversy upon such writ shall be decided against the person obtaining the same.

Art 75, s 61
1816, c 187,
1822, c 141
Bond in *certiorari* in cases between landlord and tenant, and forcible entry and detainer
15 Md 194, 3 H. & McH 438, 4 H & McH 4, 7 Gill 238, 8 Gill. 152, 9 G & J 107.

IV.—ATTACHMENTS.

ATTACHMENTS AGAINST NON-RESIDENTS AND ABSCONDING DEBTORS

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| 1 Who may be plaintiff | given if garnishee neglect or refuse to answer them |
| 2 Who may be defendant | 18 Confession of judgment by garnishee |
| 3 Who an absconding debtor and what a sufficient averment of absconding | 19 Attachment of judgments or decrees due defendant, execution. |
| 4 The affidavits, what to contain and evidences of indebtedness to accompany it | 20 Attachment of defendant's interest in stock or debt of corporation, duty of sheriff |
| 5 Before whom affidavit to be made | 21 Appearance of defendant and dissolving attachment |
| 6 Certificates to official character | 22 Quashing attachment before return day, proceedings, further execution |
| 7 Who can take affidavits | 23 Appeal |
| 8 The warrant to the clerk of court and issuing the attachment | 24 Appeal of plaintiff, bond to prosecute appeal from order quashing attachment, attachment in force |
| 9 Duty of justice, when affidavits made out of county in which attachment to be issued | 25 Time within which to file bond |
| 10 The summons and the short note. | 26 Attachment against lands, etc, of heir or devisee for debt of intestate or testator. |
| 11 What may be attached | 27 When court may order the sale of perishable property attached |
| 12. What the attachment must contain, its execution and return | 28 Omission or misspelling of christian name, amendment |
| 13 Judgment of condemnation and execution, bond | 29 Attachment for debt due minor, <i>feme covert</i> or lunatic. |
| 14 What may be levied against the garnishee | |
| 15 The detence of garnishee for defendants | |
| 16 Judgment of condemnation and execution thereon, or payment of garnishee, when bar against defendants | |
| 17 The interrogatories, what judgment to be | |