

proofs on which the same was granted, and not otherwise, the clerk shall issue such attachment.

Id s 9
Duty of justice
when affidavit
made out of
county in which
attachment to
be issued
3 Gall 485

9. If the affidavit was made before any person authorized to take the same, other than a judge or justice of the county or city where the attachment is to be issued, then, upon producing the same, certified, with the proofs as heretofore required, before a justice of the peace of the county or city where the attachment is to be issued, he shall forthwith issue his warrant to the clerk to issue an attachment in the same manner as if the affidavit had been made before said justice; and the clerk, upon the receipt of the warrant, affidavit, and proofs, shall issue an attachment, as required by the preceding section.

Id s 10
1795, c 56, s 3
The summons
and the short
note
25 Md 268, 31
Md 229, 33 Md
59, 35 Md. 294

10. There shall be issued with every attachment a writ of summons against the defendant, and a declaration or short note expressing the plaintiff's cause of action shall be filed, and a copy thereof shall be sent with the writ to be set up at the court-house door by the sheriff or other officer.

Id s 11
1715, c 40, ss
3-7, 1778, c 9, s
6, 1835, c 201, s
14
What may be
attached 23 Md

11. Any kind of property or credits belonging to the defendant, in the plaintiff's own hands, or in the hands of any one else, may be attached; and credits may be attached which shall not then be due. 253, 418, 25 Md 220, 26 Md 291, 27 Md 421, 31 Md 468, 32 Md 363, 33 Md 312, 598, 34 Md 89, 647, 36 Md 186, 37 Md. 259, 38 Md 345, 555

Id s 12
1715, c 40, ss
3-7, 1854, c 75,
s 1
What the at-
tachment must
contain
30 Md 402, 32
Md 363, 35 Md
595, 43 Md 254

12. Every attachment issued under the preceding sections shall contain a clause commanding the sheriff or other officer, at the time of executing the said attachment, to make known to each person in whose hands or possession the lands, tenements, goods, chattels, and credits so attached are, if to him or them it shall seem meet, to be and appear on the return of such attachment before the court out of which it issued, to show cause why such lands, tenements, goods, chattels, or credits so attached, should not be condemned, and execution thereof had and made as in other cases of recoveries and judgments given in courts of record.

Its execution
and return.

Art 10, s 13
1715, c 40, s 3
Judgment of
condemnation
and execution
22 Md 27, 23
Md 138, 24 Md
297, 28 Md 388,
31 Md 229, 418,
522, 32 Md 363,
33 Md 312, 35
Md 232, 233, 36
Md 59, 239, 38
Md 347, 39 Md
228, 42 Md 607,
45 Md 24

13. If neither the defendant nor the garnishee on whose hands the property or credits may be attached shall appear at the return of the attachment, the court shall and may condemn the property and credits so attached, and award execution thereof; *provided*, that no such execution issue unless the plaintiff give bond or sufficient security before the court awarding the execution, to make restitution of the lands, tenements, goods, chattels, or credits so as aforesaid condemned, or the value thereof, if the defendant shall at any time within a year and a day—to be counted from the return of said attachment—appear to the said original action, and make it appear that the claim of the said plaintiff, or some part thereof, is not due to the said plaintiff

Bond.

Id s 14
1715, c 40, s 4
What may be
levied against
the garnishee

14. No sheriff or other officer shall levy by way of execution against the garnishee, more than the plaintiff's debt and costs, nor more than what the said plaintiff shall make appear to be the value of the property and credits attached in the hands of such gar-