

ATTACHMENTS ON ORIGINAL PROCESS.

1864, c. 306.

Plaintiff

25 Md 350, 368,
29 Md 221, 80
Md 394, 31 Md
492, 35 Md 505,
40 Md 414, 47
Md. 112.

Affidavit

34. 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 proceed by attachment in the following cases, upon the conditions and in the manner herein provided: Before any such writ of attachment shall be issued, the plaintiff, or some person in his behalf, shall make an affidavit before the clerk of the court from which said attachments shall issue, stating that the defendant or defendants named in the writ of attachment is *bonâ fide* indebted to the plaintiff, or plaintiffs, in the sum of ——— dollars, over and above all discounts; and that the plaintiff knows, or has good reason to believe either (first) that the debtor is about to abscond from this State, or (second) that the defendant has assigned, disposed of, or concealed, or is about to assign, dispose of, or conceal his property, or some portion thereof, with intent to defraud his creditors, or (third) that the defendant fraudulently contracted the debt, or incurred the obligation respecting which the action is brought, or (fourth) that the defendant has removed, or is about to remove, his property, or some portion thereof, out of this State, with intent to defraud his creditors.

Id s 2

Evidence of
debt to be filed

35. At the time of making said affidavit, the plaintiff shall produce the bond, account, or other evidence of the debt, by which said debtor is indebted, and the same shall be filed among the papers in the cause.

Id s 3.

Summons.
35 Md 295.

36. There shall be issued with every attachment issued, under the provisions of the two preceding sections, a writ of summons against the defendant, as is usual in actions at law.

Id s 4

Bond
25 Md 219, 350,
368, 30 Md 334;
36 Md 42.

37. Every clerk, before issuing an attachment under the preceding sections, shall take from the plaintiff, or some person on his behalf, bond to the State of Maryland, with security to be approved by said clerk, in double the sum alleged to be due by the defendant or defendants, conditioned for satisfying all costs which may be awarded to such defendant or defendants, or to any other person or persons interested in the proceedings, and all damages which shall be recovered against the plaintiff for wrongfully suing out such attachment, which bond shall be filed in the office of the clerk issuing such attachment; the condition of said bond shall be substantially in the following form: The condition of this obligation is such that, whereas the above bounden ———, hath, on the day of the date hereof, ordered an attachment out of (naming the court from which the said attachment shall issue) at the suit of ——— v. ———, for the sum of ———; and the same being about to be sued out of said court, returnable on the ——— day of ——— next. Now, if the said ——— shall prosecute his suit with effect, or in case of failure thereof, shall well and truly pay and satisfy the said ———, all such costs in said suit, and such damages as shall be awarded against ———, his heirs, executors, or administrators, in any suit or suits which may