

REPLEVIN.

25. In all actions of replevin, the proceedings before justices of the peace shall be similar to those in the several Circuit Courts of this State.

Art 51, s 15
1852, c 239, s 2
Proceedings

26. Before issuing a replevin, the justice shall require and take from the party demanding such writ, a bond to the party holding the property, with one or more securities, whom the said justice shall, in his conscience, believe to be worth double the value of the specific article of property intended to be replevied; with condition that if the above bound ——— do and shall well and truly prosecute the said writ of replevin with effect, and also, shall and will return the goods and chattels aforesaid, if the same be adjudged, and in all things abide by and perform the judgment of the said justice, or of such other justice of the peace in and for the said county as shall decide in the premises, then the said obligation to be void, else to be and remain in full force and virtue in law

Id s 36
1835, c 201, s 13,
1852, c 239, s 2,
1856, c 112, ss
13-25
Proceeding to
replevin
Bond

27. The plaintiff suing out a replevin, or any other person on his behalf, may give the bond required by the preceding section, but the securities, in all cases, ought to be ample.

Id s 37
1835, c 201, s 13
Who may give
such bond

28. If the summons in replevin shall be returned served, and the defendant shall fail to appear, the justice shall fix a day of trial, not less than six nor more than fourteen days from the return day, and shall proceed to try such replevin *ex parte* on the day so fixed if the defendant does not appear; or if the summons is returned *non est*, the justice shall renew the same, returnable not less than ten days from the issuing thereof, and if such renewed summons be returned *non est*, the justice shall proceed as if the defendant had been returned summoned and had failed to appear.

Id s 38
1852, c 76, s 3,
1852, c 336
Proceeding in
replevin where
defendant fails
to appear.

PROCESS.

29. Any justice of the peace may issue an execution or any other process on any judgment rendered by a justice of the peace of his county, or any supersedeas taken on such judgment, after the stay expires, either on the original judgment or on a copy thereof from the docket of another justice.

Art 51, s 59
1801, c 62, s 2
Any justice
may issue pro-
cess on judg-
ment of another
justice of his
county.

30. Any justice of the peace may issue an attachment by way of execution in any case where he is authorized to issue a *fiери facias*.

Id s 60
1853, c 201, s 1.
May issue at-
tachment by
way of execu-
tion

31. Any justice may issue execution or any other process on a short copy of a judgment rendered by a justice of any other county or city in this State; *provided*, said short copy be certified by the clerk of the Circuit Court where the judgment was rendered, under the seal of his office; and if such judgment was rendered in the city of Baltimore, the same be certified as aforesaid by the clerk of the Superior Court.

Id s 61
1831, c 271,
1845, c 222, s 1
May issue pro-
cess on short
copy of judg-
ment rendered
by a justice of
any other
county
How certified

32. If any justice of the peace shall die, or shall cease to act as such from any other cause, any justice of the peace in the same county shall have the same power to receive returns of writs or process, to issue any writ or process, and to do all other acts in relation

Id s 62
1845, c 379, s 8
When justice
ceases to act,
who to receive
returns