

sufficient and pleadable in bar in any action brought against him by the defendant in the attachment for or concerning the property or credits so condemned, even though such judgment of condemnation be afterwards reversed or set aside, unless at the time of execution made, or payment, such judgment or execution thereon shall have been stayed according to law.

*Brown v. Somerville*, 8 Md. 458. *Cole v. Flintcraft*, 47 Md. 320. *Savin v. Bond*, 57 Md. 228.

#### Attachments on Original Process for Fraud.

1864, ch. 306, sec. 1.

**35.** 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 attachment shall issue, stating that the defendant or defendants named in the writ of attachment is or are *bona 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.

*Howard v. Oppenheimer*, 25 Md. 372. *Dean v. Oppenheimer*, 25 Md. 377. *Clarke v. Meixsel*, 29 Md. 221. *Stewart v. Katz*, 30 Md. 334. *Horwitz v. Ellinger*, 31 Md. 492. *Dellone v. Hull*, 47 Md. 114. *Farrow v. Hayes*, 51 Md. 507. *Strauss v. Rose*, 59 Md. 526.

*Ibid.* sec. 2.

**36.** At the time of making said affidavit the plaintiff shall produce the bond, account or other evidence of the debt, by