

which said debtor is indebted, and the same shall be filed among the papers in the cause.

1864, ch. 306, sec. 3 1888, ch. 507.

37. 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. The action shall be instituted either in the county where the defendant resides or where the property proposed to be attached may be located or found, or where the proposed garnishee resides; but if the action be instituted in any county other than that wherein the defendant resides, the writ of summons against the defendant shall be directed to the sheriff of the county wherein the defendant resides, returnable to the court in which the action shall be brought.

Ibid. sec. 4. 1888, ch. 507.

38. Every clerk, before issuing an attachment under the preceding section, 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 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 ——— 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 ——— and any other persons interested in the proceedings, all such costs on said suit and such damages as shall be awarded against ———, his heirs, executors or administrators in any suit or suits which may hereafter be brought for wrongfully suing out said attachment, then