

enter judgment for the plaintiff for the property replevied and for nominal damages and costs, and the same proceedings shall be had upon the return of two "*non ests*" as upon a return of "summoned."

1888, art. 75, sec. 110. 1888, ch. 417.

116. In all actions of replevin where the defendant shall have been duly summoned and return shall have been made by the sheriff that either all or some portion of the chattels described in the writ have been eloigned, the plaintiff, having duly established his right of possession to all or any portion of the chattels described in the writ and the illegal detention of the same from him by the defendant, shall be entitled on verdict to a judgment for the return of such portion of said chattels as may have been eloigned, or for their value as found by the verdict, as well as for any of said chattels actually taken under the writ, together with damages for the detention of all chattels mentioned in the writ which the jury shall have found were unlawfully detained from him by the defendant.

Ibid. sec. 111. 1888, ch. 269.

117. Whenever in replevin or detinue there shall be a judgment in the alternative for the return of chattels or the payment of their value, the judgment for the return or delivery of the goods may be enforced by a writ in the nature of a writ of *capias in withernam*, and by attachment of the party or parties adjudged to return or deliver the same, or either, unless the court, on good cause shown, shall otherwise order, or unless the party or parties entitled to such return or delivery shall agree of record to accept the value of the chattels as ascertained by the judgment in lieu of such return or delivery, but nothing herein contained shall prevent the party entitled to such judgment from having his execution besides for the damages, if any, given for the detention and his costs, and every judgment in detinue and replevin, and every verdict therein shall ascertain separately the value of the goods and chattels and the damages, if any, for their detention.

Farmers Packing Co. v. Brown, 87 Md. 13.

1904, ch. 26, sec 111 A

118. From and after March 9, 1904, all bonds given by the plaintiff in any action of replevin hereafter instituted in any of the courts of law shall be given to the State of Maryland, and such bonds shall be for the use of any person interested in