

which the defendant or defendants, or any other persons interested in the proceedings, shall suffer because of the wrongful suing out of said 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 said attachment shall issue) at the suit of ——— vs. ———, 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 the case of failure thereof shall well and truly pay and satisfy the said ——— and any other person interested in the proceedings all such costs of said suit, and all such damages as he or they shall or may suffer or incur by reason of the wrongful suing out of such attachment, then the above obligation to be void, otherwise to remain in full force and effect. Every attachment hereafter issued without a bond and affidavit taken as aforesaid is hereby declared illegal and void and shall be dismissed.

*Howard v. Oppenheimer*, 25 Md. 350. *Stewart v. Katz*, 30 Md. 334. *Wanamaker v. Bowes*, 36 Md. 42. *Gable v. Brooks*, 48 Md. 113. *McLuckie v. Williams*, 68 Md. 265. *Dumay v. Sanchez*, 71 Md. 508. *Sanborn v. Mullen*, 77 Md. 480.

1888, art. 9, sec. 39. 1864, ch. 306, sec. 5.

**40.** In all cases where two or more persons are jointly indebted, either as partners or otherwise, and an affidavit shall be filed as hereinbefore provided, so as to make one or more of such joint debtors amenable to the process of attachment, then the writ of attachment shall issue against the lands and tenements, goods, chattels and credits of such as are so brought within the provisions of this law; but the writ of summons shall issue against all the joint defendants, as in other actions against joint defendants.

*Collier v. Hanna*, 71 Md. 254. *Sanborn v. Mullen*, 77 Md. 480

*Ibid.* sec. 40. 1860, ch. 306, sec. 6. 1888, ch. 507.

**41.** In case the defendant, or any other person interested in the proceedings, is not satisfied with the sufficiency of the surety or sureties, or any one of them, or with the amount specified in the bond aforesaid, he may, at any time before judgment, apply to the judge of the court in which the said bond is filed, for an order requiring the plaintiff to give additional