

said city or county, and the service of any writ and the posting of any short note, wherever a writ of attachment may have been or shall be served and the short note set up in manner as herein provided, shall be valid, and said writs of attachment shall be returned to the courts whence they are issued as other writs are required to be returned.

#### Claimants of Property.

1888, art. 9, sec. 45. 1876, ch. 285. 1888, ch. 507. 1892, ch. 507.

**47.** Whenever an attachment or execution shall be levied upon any personal property, goods or chattels, which may be claimed by a person or corporation other than the defendant in such attachment or execution, such person or corporation may file a petition, under oath, with the court before whom such attachment or execution is returnable, setting forth clearly the character and origin of his, her or its claim to the property so levied upon, and thereupon it shall be the duty of the clerk to docket a suit against both the plaintiff and defendant in such attachment or execution and issue a summons directed to said plaintiff and defendant, giving notice of such claim and returnable to the next succeeding rule day or term of said court. If such claimant shall establish the validity of his, her or its claim to said property, costs shall be awarded to said claimant, and said claimant shall also be entitled to recover damages in such suit for the wrong and injury done to him, her or it by reason of such seizure and detention of his, her or its property.

*Hall v. Richardson*, 21 Md. 405. *Howard v. Oppenheimer*, 25 Md. 365. *Turner v. Lytle*, 59 Md. 199. *Kean v. Doerner*, 62 Md. 475.

*Ibid.* sec. 46. 1876, ch. 285. 1888, ch. 507. 1900, ch. 697. 1902, ch. 324.

**48.** The property attached shall be discharged from the levy and surrendered to such claimant upon the filing of a bond by or on behalf of such claimant in a penalty equal to double the value of the property as ascertained by an appraisement thereof to be made by the sheriff at the time of the levy, to be approved of by the clerk and conditioned for satisfying all costs and such damages not exceeding the real value of the property attached as the plaintiff shall recover in case said claimant shall fail to establish his claim.

*Turner v. Lytle*, 59 Md. 199. *Kean v. Doerner*, 62 Md. 475.

1888, art. 9, sec. 47. 1876, ch. 285. 1888, ch. 507.

**49.** In case the plaintiff in such attachment is not satisfied with the sufficiency of the surety or sureties in the bond taken