

Chapter 269.

AN ACT to add an additional section to article seventy-five of the Code of Public General Laws, title "Pleadings, Practice and Process," to be numbered, and stand under the sub-title "Judgments in *Detinue* and *Replevin*."

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the following be and the same hereby is added as an additional section to article seventy-five of the Code of Public General Laws of Maryland, to be numbered, and stand under the sub-title "Judgments in *Detinue* and *Replevin* :"

Additional
section.

JUDGMENTS IN DETINUE AND REPLEVIN.

Whenever in *detinue* or *replevin* 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.

May agree to
accept value
of chattels in
lieu of return.

SEC. 2. *And be it enacted,* That this act shall take effect from the date of its passage.

Effective.

Approved April 4, 1888.