

of the United States, or before a commissioner appointed by the state to take acknowledgments of deeds, or before a notary public, or, if out of the United States, before a consul or vice-consul of the United States, or the affidavit may be made before the clerk of the court from which the attachment shall issue.

8. Upon making the affidavit and producing the proofs before the clerk of the court from which such attachment is to issue, or upon presenting to said clerk the affidavit and proofs when said affidavit is not made before him, he shall issue an attachment against the lands, tenements, goods, chattels and credits of said debtor.

Issue attachment.

17. In all attachments the garnishee may appear in court on the return day of such attachment, or within four days thereafter, and confess the amount of goods, chattels or credits in his hands; and if the plaintiff will not take judgment of condemnation for the amount so acknowledged, but shall claim a larger sum, then the garnishee shall be allowed the costs of suit, and reasonable counsel fees to be fixed by the court, unless on a final decision the plaintiff shall recover a larger amount than the garnishee acknowledged as aforesaid; and in all cases where, upon a plea of *nulla bona*, judgment shall be entered for the garnishee, the plaintiff, in addition to the taxed costs of suit, shall be adjudged to pay to the garnishee reasonable counsel fees to be fixed by the court.

May confess, etc.

28. Attachment proceedings may be amended in the same manner and to the same extent as any other suits or actions at law, so that the same may be tried on their real merits and the purposes of justice subserved; nor shall any attachment proceedings be quashed or set aside for any defect in mere matter of form.

May be amended.

30. Any plaintiff having a judgment or decree in any court of law or equity in this state may, instead of any other execution, issue an attachment against the lands, tenements, goods, chattels and credits of the defendant in the plaintiff's own hands, or in the hands of any other person, which attachment shall contain the clause of *scire facias* required in an attachment against a

Scire facias.