

non-resident or absconding debtor. Whenever such attachment shall be issued upon a decree of a court of equity, such court shall have authority and jurisdiction to hear and determine any question that may arise upon such attachment as fully as the same could be heard and determined by any court of law, subject to the right of appeal to the court of appeals as in other cases; but if any party to such attachment shall pray a jury trial at any time before such attachment case shall be determined by said court of equity, such attachment proceedings shall be transmitted to a court of law, to be tried as in cases of attachment on judgment.

Jury trial.

SEC. 2. *And be it enacted*, That sections three, four and six of the act of eighteen hundred and sixty-four, chapter three hundred and six, entitled "An act to add additional sections to article ten of the Code of General Laws, title 'Attachments,' sub-title 'Attachments on Original Process,'" be and the same are hereby repealed and re-enacted with amendments so as to read respectively as follows :

Repealed and re-enacted.

SEC. 3. The action shall be instituted either in the county where the defendant resides or where the property proposed to be attached may be located or found, or where the proposed garnishee resides; but if the action be instituted in any county other than that wherein the defendant resides there shall be issued a writ of summons against the defendant, directed to the sheriff of the county wherein the defendant resides, returnable to the court in which the action shall be brought.

Attach where found.

SEC. 4. Every clerk, before issuing an attachment under the preceding section, shall take from the plaintiff, or some person on his behalf, bond to the State of Maryland with security to be approved by said clerk in double the sum alleged to be due by the defendant or defendants, conditioned for satisfying all costs which may be awarded to such defendant or defendants, or to any other persons interested in the proceedings, and all damages which shall be recovered against the plaintiff, for wrongfully suing out such attachment, which bond shall be filed in the office of the clerk issuing such attachment. The condi-

Take bond.