

CHAPTER 306.

AN ACT to add new sections to Article ten of the Code of Public General Laws, entitled, "Attachments," providing for attachments on original process. Passed March 9, 1864.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Article ten of the Code of Public General Laws, entitled, "Attachments," be amended by adding thereto the following sections, under the sub-title of attachments on original process: Article amended.

38. Every person and every body corporate that has the right to become a plaintiff in any action or proceeding, before any judicial tribunal in this State, shall have the right to proceed by attachment, in the following cases, upon the conditions and in the manner herein provided: Before any such writ of attachment shall be issued the plaintiff, or some person in his behalf, shall make an affidavit before the Clerk of the Court from which said attachment shall issue, stating that the defendant or defendants named in the writ of attachment is *bona fide* indebted to the plaintiff or plaintiffs in the sum of _____ dollars, over and above all discounts; and that the plaintiff knows, or has good reason to believe either (first) that the debtor is about to abscond from this State, or (second) that the defendant has assigned, disposed of, or concealed, or is about to assign, dispose of, or conceal his property, or some portion thereof, with intent to defraud his creditors, or (third) that the defendant fraudulently contracted the debt, or incurred the obligation respecting which the action is brought, or (fourth) that the defendant has removed, or is about to remove, his property, or some portion thereof, out of this State, with intent to defraud his creditors. Right to proceed by attachment.

39. At the time of making said affidavit the plaintiff shall produce the bond, account or other evidence of the debt, by which said debtor is indebted, and the same shall be filed among the papers in the cause. Plaintiff to produce evidence of debt.