

CHAP. 52.

Justice of
the Peace may
issue attach-
ment.

having sued out writs of attachment out of Allegany county court in cases of small debts. Therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That whenever any person or persons, shall be indebted to any other person or persons, in a sum not exceeding fifty dollars, and the said creditor or creditors shall make oath or affirmation, before any justice of the peace of said Allegany county, that the said debtor or debtors, is or are indebted unto him, her or them, in the sum of not exceeding fifty dollars, and that the said debtor or debtors do not reside within the limits of the State of Maryland, or that he, she or they, is or are credibly informed and verily believes, that the said debtor or debtors hath or have absconded from his, her or their place of abode, whereby his, her or their creditors may be injured or defrauded, and shall at the same time produce before the said justice of the peace, the covenant, bill, bond, note or account, or other evidence of the debt, it shall and may be lawful for the said justice of the peace to issue an attachment, returnable before the said justice of the peace, who issued the same, upon a day certain to be therein named, not less than twenty days, and not more than thirty days, from the date of the issuing the said writ of attachment, against the goods and chattels, rights and credits, lands and tenements, of the said absent or absconding defendant, which are or shall be in the hands or possession of any person or persons whatever, in said Allegany county, and the said plaintiff, at the time of issuing said attachment shall set up, at least at three of the most public places in said Allegany county, at least ten days before the return day of said attachment, an affidavit of the truth of his claim, together with a copy thereof, in which said attachment there shall be a clause commanding the constable to whom the same may be directed, to make known to each person or persons in whose hands or possession the said goods, chattels, rights and credits, lands and tenements are so attached, and if to him, her or them, it shall seem meet to be and appear on the return day of said attachment before the said justice of the peace issuing the same, to show cause, if any he, she or they have, why such goods and chattels, rights and credits, lands and tenements, so as aforesaid attached, shall not be condemned by the said justice of the peace, and execution thereof had, and made as in other cases of judgments and recoveries had before single justices of the peace in said Allegany county, at which said day of return of said attachment, if said defendant, nor the garnishee in whose hands the aforesaid goods and chattels, rights and credits, lands and tenements of the defendant were attached, shall not shew cause to the contrary, the said justice of the peace before whom the said