

WHEREAS, The codification above referred to continued through the Code of 1957, in which year Section 29 of Article 9 was repealed, but said codification was apparently erroneous in that the 1715 and 1831 statutes applied in relevant part to attachments by way of execution on any judgments, while the codification of those statutes divided their provisions, making it appear that some (particularly what is now Section 17 of Article 9) apply only to attachments on original process; and

WHEREAS, It is the intent of the General Assembly of Maryland to make it clear that the provisions of Section 17 of Article 9 do in fact apply to attachments on all judgments; now, therefore,

**SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,** That Section 17 of Article 9 of the Annotated Code of Maryland (1968 Replacement Volume), title "Attachments," subtitle "Attachments on Original Process," be and it is hereby repealed, and that a new Section 14 of the same Article, Code and title be and it is hereby enacted in lieu thereof, to stand in the place of the section so repealed, and to be under the new subtitle "Attachments in General," to follow immediately after Section 13 thereof, and to read as follows:

117.

Any plaintiff in an attachment may have the same laid upon debts due the defendant upon judgment or decrees rendered or passed by any of the courts of law or equity in this State, and may have judgment of condemnation thereof as upon any other debts due said defendant; but an execution may, on application of any party to the court rendering such judgment or decree, be issued for enforcing the payment thereof, notwithstanding the attachment; provided, that money payable on such judgment or decree be, in the said writ of execution, required to be brought into the said court, to be by such court preserved or deposited, or invested in stocks, to abide the event of the proceedings in such attachment.]

#### ATTACHMENTS IN GENERAL

14.

(A) A COURT OF EQUITY OR A COURT OF LAW, INCLUDING THE DISTRICT COURT [[WITHIN THE LIMITS OF ITS JURISDICTION]], MAY ISSUE AN ATTACHMENT ON A JUDGMENT OR DECREE IN LIEU OF ANY OTHER EXECUTION. A PLAINTIFF IN AN ATTACHMENT MAY HAVE IT LAID UPON ANY DEBT DUE THE DEFENDANT UPON A JUDGMENT OR DECREE OF A COURT OF EQUITY OR A COURT OF LAW, INCLUDING THE DISTRICT COURT [[WITHIN THE LIMITS OF ITS JURISDICTION]].

(B) IF THE PROPERTY ATTACHED CONSISTS OF A DEBT DUE THE DEFENDANT ON A JUDGMENT, THE ATTACHMENT DOES NOT PREVENT THE ISSUANCE OF EXECUTION ON THE JUDGEMENT, PROVIDED THE WRIT OF EXECUTION SHALL DIRECT THE PROCEEDS OF THE EXECUTION TO BE BROUGHT INTO COURT, SUBJECT TO FURTHER ORDER OF THE COURT TO ABIDE THE RESULT IN THE ATTACHMENT CASE.

**SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect July 1, 1973.