

PLEAS IN ABATEMENT.

81st. That the plaintiff, at the time of issuing the summons in this case, was and still is the wife of one R. B.

82d. That the plaintiff is within twenty-one years of age; and has declared by attorney, when he should have declared by next friend or guardian.

83d. That the said contract in the declaration mentioned, was made by the defendant jointly with one W. P., who is still living, and is residing in the county (or the city) aforesaid; and was not made by the defendant alone, and therefore, the said W. P. should have been sued also.

(This form shall be sufficient, whether the contract be by parol or by deed.)

FORM OF AFFIDAVIT TO PLEAS IN ABATEMENT.

84th. ——— county.

M. R., (the defendant in the cause,) makes oath and says, that the plea, hereunto annexed, is true in substance and in fact.

Sworn before _____.

FORM OF DECLARATION WHEN THE SUMMONS IS RETURNED AS TO SOME OF THE DEFENDANTS NON EST.

85th. R. G., by S. T., his attorney (or in person,) sues J. T. and M. B., (but M. B. has been returned non est by the sheriff,) for (here state the cause of action,) and the plaintiff claims from J. T., (the person summoned,) \$———.

COMMENCEMENTS OF DECLARATIONS BY PERSONS SUIING IN SPECIAL CHARACTERS.

86th. A. B., executor of the last will (or administrator of the goods, &c.,) of O. H. deceased, by S. T. his attorney, (or in person,) sues D. E. for (here state the cause of action.)

87th. J. T., who is within age, by S. T. his next friend (or guardian,) sues W. B. for (here state the cause of action.)