

1894, ch. 631. B. Co. C. (1908), sec. 35. 1916, sec. 73. 1928, sec. 80.

80. All original writs of execution, attachments, replevin, ejectment, *scire facias* and *habere facias*, as well as all other writs and process issued from or returnable to said court in civil cases, shall be made returnable to the first return day or to the first day of the term, whichever shall first occur after the issue of same, unless otherwise ordered, in writing, by the party directing the same or his attorney; and on the return of an original writ, not issued or served, the same may be renewed returnable to the next return day or to first day of the succeeding term, whichever shall first occur.

Griffith v. Adams, 95 Md. 171. Wilhelm v. Mitchell, 131 Md. 358.

1894, ch. 631. B. Co. C. (1908), sec. 36. 1916, sec. 74. 1928, sec. 81.

81. If a defendant be returned summoned, and shall fail to appear, the clerk of said court shall, on the day following the return to which the writ or process served on him is returnable, enter the appearance of any defendant so summoned and failing to appear, and the action shall proceed in the same manner as if the party had appeared in person.

1894, ch. 631. B. Co. C. (1908), sec. 37. 1916, sec. 75. 1928, sec. 82.

82. In all cases wherever a party is returned summoned to a return day or to a term, the same proceedings shall be had as are now had in said court, subject to such rules as the said court may prescribe as to pleading and practice, and the case shall be entered in their order on the trial docket for the succeeding term.

1894, ch. 631. B. Co. C. (1908), sec. 38. 1916, sec. 76. 1928, sec. 83.

83. Every suit in which any defendant shall be returned summoned, except suit on contract, as hereinafter provided, shall stand for trial or judgment at the next term succeeding the return day to which said defendant was returned summoned, as now provided by law, subject to such rules as the court may prescribe as aforesaid.

1912, ch. 385. B. Co. C. (1908), sec. 39. 1916, sec. 77. 1928, sec. 84.

84. In any suit when the cause of action is a contract whether in writing or not, or whether expressed or implied, the plaintiff, if affidavit or affirmation be made, as hereinafter stated, shall be entitled to judgment, to be entered by the court or the clerk thereof on motion in writing at any time after fifteen days from the return day to which the defendant shall have been summoned, although the defendant may have pleaded, unless such plea contains a good defense and unless the defendant or some one in his behalf shall, under oath or affirmation, state that every plea so pleaded by the defendant is true, and shall further state the amount of plaintiff's demand, if any thing, admitted to be due or owing, and the amount disputed, and further, that the affiant verily believes the defendant will be able at the trial of the cause to produce sufficient evidence to support the plea as to the portion disputed, and that he is advised by counsel to file the said plea, and such plea shall be accom-