

*Form of Declaration When the Summons is Returned as to Some of the Defendants Non Est.*

(85) 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 Suing in Special Characters.*

(86) 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).

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

See art. 72A, sec. 3.

(88) G. H., who was the husband of L. K., deceased, formerly I. B., who has survived his said wife, by S. T., his attorney, (or in person), sues C. P. for (here state the cause of action).

(89) B. H. and F. W., surviving partners of T. K. and I. M. (trading under the name of B. H., F. W. & Co.), by S. T., their attorney (or in person), sue T. H., surviving partner of M. S. (trading under the name of T. H. and M. S.), for (here state the cause of action).

(The words "trading under the name of," etc., may be omitted, unless the name of the firm be contained in the contract sued on.)

(The conclusion of declarations, by persons suing in special characters, shall be the same with that of declarations by persons suing in their proper characters.)

*Conclusions of Declarations by Executors and Administrators.*

(90) "And the plaintiff claims therefor" \$——— (or if the action is detinue, brought to recover specific goods), "the plaintiff claims a return of the said goods, or their value, and \$——— for their detention;" (or if the action is replevin), "the plaintiff claims the return of the said goods" (when they have not been replevied and delivered), "and \$——— for their detention;" (or in cases where they have been delivered,) "the plaintiff claims said goods and \$——— for their detention."

*Statement of Causes of Action by Executors and Administrators.*

(91) Money payable by the defendant to the plaintiff for goods bargained and sold by O. H., in his lifetime, to the defendant.

(92) Work done and materials provided by O. H. in his lifetime, for the defendant, at his request.

(93) And the form may be the same as between the original parties, adding proper words, to show that the transaction occurred with the decedent.

*Commencements of Declarations Against Executors and Administrators.*

(94) A. B., by his attorney (or in person, as the case may be), sues C. D., executor of the last will (or administrator of the goods, chattels, etc.), of P. S., deceased, for (here state the cause of action).