

|                                       | Art. | Sec. |  | Art. | Sec.   |
|---------------------------------------|------|------|--|------|--------|
| <b>Practice—Cont'd:</b>               |      |      | <b>Practice—Cont'd:</b>                    |      |        |
| Ejectment— <i>Cont'd:</i>             |      |      | Ejectment— <i>Cont'd:</i>                  |      |        |
| Landlord and Tenant— <i>Cont'd:</i>   |      |      | Warrant of Resurvey— <i>Cont'd:</i>        |      |        |
| Mortgagee of tenant may pay           |      |      | Trespass <i>q. c. f.</i> for taking of     |      |        |
| arrearages and costs and suc-         |      |      | coal, etc., from mines when                |      |        |
| ceed to rights of lessee.....         | 75   | 78   | warrant may be dispensed                   |      |        |
| Proceedings to eject tenant....       | 75   | 78   | with .....                                 | 75   | 88     |
| Tenant to have right of appeal        | 75   | 78   | Warrant of resurvey power of               |      |        |
| When demand for rent and re-          |      |      | court to order in removed                  |      |        |
| entry unnecessary .....               | 75   | 78   | cases .....                                | 75   | 122    |
| Lands in Adjoining Counties:          |      |      | When to issue in ejectment...              | 75   | 85     |
| Sheriff and surveyor where suit       |      |      | Where suit brought.....                    | 75   | 79     |
| is brought, duties and pow-           |      |      | Equitable Defenses:                        |      |        |
| ers .....                             | 75   | 79   | Actions in which pleadable.....            | 75   | 91     |
| When none of defendants re-           |      |      | Demurrer of plaintiff or defen-            |      |        |
| side in any of said counties.         | 75   | 79   | dant in replevin.....                      | 75   | 92     |
| Where suit must be brought...         | 75   | 79   | Forms of pleas and replication for         | 75   | 91, 92 |
| <i>Mesne</i> profits, damages for may |      |      | Plea for defense on equitable              |      |        |
| be recovered .....                    | 75   | 76   | grounds .....                              | 75   | 91     |
| Mortgagor may maintain, except        |      |      | Replication on equitable grounds           |      |        |
| against mortgagee.. ..                | 75   | 77   | in replevin .....                          | 75   | 92     |
| Notice of object of suit and sub-     |      |      | Striking out plea or replication by        |      |        |
| stance of declaration to be           |      |      | court; powers of court.....                | 75   | 93     |
| published .....                       | 75   | 76   | Execution on judgment in removed           |      |        |
| Patent, proof of, unnecessary....     | 75   | 84   | cases .....                                | 75   | 119    |
| Plea of not guilty; effect of....     | 75   | 76   | Execution; stay of.....                    | 26   | 23     |
| Possession; actual enclosure not      |      |      | Foreign Laws—Ascertaining and              |      |        |
| necessary to prove; acts by           |      |      | applying .....                             | 35   | 56-62  |
| which proven .....                    | 75   | 84   | Infant entitled to lands by purchase,      |      |        |
| Proceedings in; rules and practice    |      |      | answering suit against.....                | 75   | 69     |
| of .....                              | 75   | 76   | Injunction ( <i>see</i> Summons with       |      |        |
| Summons; how and on whom to           |      |      | Claim for Injunction or                    |      |        |
| be served .....                       | 75   | 76   | Mandamus, <i>infra.</i> )                  |      |        |
| Tenants holding jointly to de-        |      |      | Inquisition to determine amount of         |      |        |
| clare interests .....                 | 75   | 82   | judgment upon motion.....                  | 26   | 19     |
| Title holder presumed to have         |      |      | Inspection of property by jury....         | 75   | 105    |
| patent to land.....                   | 75   | 84   | Interlocutory judgment, determina-         |      |        |
| Title shown in one plaintiff, effect  | 75   | 83   | tion of damages after.....                 | 75   | 94     |
| Warrant of Resurvey:                  |      |      | Joint obligor, suits against. ( <i>See</i> |      |        |
| Amendments to plats, certifi-         |      |      | Joint—Obligations.)                        |      |        |
| cates, etc.; powers of court          |      |      | Judgments; arrest of; insufficient         |      |        |
| to permit .....                       | 75   | 89   | grounds for .....                          | 75   | 11     |
| Execution of the Warrant:             |      |      | Judgments, Extending:                      |      |        |
| Actual survey of whole tract          |      |      | After interlocutory judgment or            |      |        |
| unnecessary .....                     | 75   | 88   | judgment by default.....                   | 75   | 94     |
| Additional surveys by parties;        |      |      | By court; in what cases; mode of           |      |        |
| cost of.....                          | 75   | 88   | proof therein .....                        | 75   | 94     |
| Agreed locations conclusive..         | 75   | 88   | Inquisition of jury on interlocu-          |      |        |
| Disputed locations; jury to           |      |      | tory judgment or judgment                  |      |        |
| decide .....                          | 75   | 88   | by default .....                           | 26   | 19     |
| List of title papers to be filed      |      |      | Interest and costs upon .....              | 75   | 94     |
| with surveyor and returned            |      |      | Motion of plaintiff or his attorney        |      |        |
| with his certificate to court         |      |      | for .....                                  | 75   | 94     |
| Locations by protraction;             |      |      | Upon inquiry of jury and verdict           |      |        |
| how far permissible.....              | 75   | 88   | thereof .....                              | 75   | 94     |
| Plats and certificates; number        |      |      | Cases in which so extended....             | 75   | 94     |
| of copies to be returned;             |      |      | Verdict and judgment in suits on           |      |        |
| requirements for..                    | 75   | 88   | bonds with penalties.....                  | 75   | 95     |
| Requisites of such survey....         | 75   | 88   | Sum so found and costs to be               |      |        |
| Title papers may be offered in        |      |      | true debt .....                            | 75   | 95     |
| evidence; proviso ..                  | 75   | 88   | Jury may be dispensed with by              |      |        |
| What locations must be sur-           |      |      | parties .....                              | 75   | 109    |
| veyed .....                           | 75   | 88   | Land, action to recover, proceeding        |      |        |
| Not to issue where parties claim      |      |      | where infant is proper                     |      |        |
| under same title; disputes            |      |      | person to replace deceased                 |      |        |
| which require issue of.....           | 75   | 86   | party .....                                | 75   | 68     |
| Party applying for to first locate    |      |      | Legislature, during session of, cases      |      |        |
| his claim.....                        | 75   | 87   | of attorney who is a member,               |      |        |
| Plats not to be considered as         |      |      | shall be continued unless such             |      |        |
| pleadings or evidence <i>per se.</i>  | 75   | 90   | attorney waives this section.              | 75   | 75     |