

1888, ch. 185.

**66.** 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 the same, unless otherwise ordered in writing by the party directing the same, or his attorney; and on the return of an original writ not executed or served, the same may be renewed, returnable to the next return day or to the first day of the succeeding term, whichever shall first occur.

*Ibid.*

**67.** If a defendant be returned summoned, and shall fail to appear, the clerk of said court shall, on the day following the return day 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.

*Ibid.*

**68.** In all cases when 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 cases shall be entered in their order on the trial docket for the succeeding term.

*Ibid.*

**69.** 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 or term to which said defendant was returned summoned, as now provided by law, subject to such rules as the court may prescribe as aforesaid.

*Ibid.*

**70.** In suits where 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