

Return day. July and October in each year shall be return days for the return of process in civil cases.

W r i t e when returnable SEC. 16 C. All original writs, writs of executions, 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, which ever 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, the same may be renewed, returnable to the next return day, or to the first day of the succeeding term which ever shall first occur.

Appearance. SEC. 16 D. If a defendant be returned summoned and shall fail to appear, the clerk of the 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.

Rules SEC. 16 E. 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.

Trial SEC. 16 F. 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 term next succeeding the rule 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.

Judgment in default of sufficient plea SEC. 16 G. 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 the rule day or the first day of the term next succeeding the rule day, or the term to which the defendant shall have been returned 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 what amount of the plaintiff's demand, if anything is admitted to be due or owing, and what amount is disputed; and if co-partnership or incorporation of any of the parties to the suit, shall be alleged in the declaration and the affidavit filed therewith and hereinafter provided, or if there shall be filed with the declaration in said cause, any paper purporting to be signed by any defendant therein, the fact of such alleged co-partnership or incorporation, and the genuineness of such