

provided, that the pleading of the party be consistent with his previous allegation, and not a departure therefrom.

15. In any suit on the bond of any clerk or register it shall not be necessary to suggest the breaches to the replication; and if plea of performance is pleaded by defendants it shall be sufficient to reply generally that the obligor has not performed the condition of his bond and give the special matter in evidence, and in this event the defendant shall be entitled to a bill of particulars of the plaintiff's claim.

Entitled to bill of particulars.

22-95. And the plaintiff claims, therefore, \$..... (or if the action is detinue brought to recover specific goods), the plaintiff claims a return of the said goods or their value, \$....., for their detention; or if the action is replevin, the plaintiff claiming the return of 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.

Plaintiff's claims.

22-100. That before the suit and after the lapse of six months from the date of his letters testamentary (or of administration), the defendant paid away in discharge of just claims all the assets of the said P. S., deceased, which had come to his hands; and that more than six months before he so paid he gave notice to the creditors of P. S. to bring in their claims, and that at the time of said payment he had no notice or knowledge of the alleged claim, and that since said payment no further assets have come to his hands.

Paid away assets.

46. The action of ejectment shall be commenced by filing a declaration in which the real claimant shall be named as plaintiff, and the tenant in possession or the party claiming adversely to the plaintiff shall be defended; it shall be sufficient to state in the declaration that the plaintiff was in possession of the land or premises described in the declaration, and that the defendant ejected him therefrom and retains possession thereof, and the amount of damages claimed by the plaintiff; a copy of the declaration, with a writ of summons, as in other cases, addressed

Filing declaration.