

to (here insert the name of the plaintiff or plaintiffs) the following goods and chattels (here insert them) which a certain (here insert the name or names of the defendant or defendants) of — county (or city) unjustly withholds from the said plaintiff or plaintiffs, and to summon the said (defendant or defendants) to appear before the (here insert the name of the court) to be held at (here insert the place) in and for (here insert the county or city) on the — day of — next, to answer an action at the suit of (here insert the name or names of the plaintiff or plaintiffs.)

And have you then and there this writ.

Witness the honorable — judge of the said court, the — day of — in the year, &c.

(Signed)

— Clerk."

**Not necessary.** 16. It shall not be necessary, for the plaintiff or plaintiffs in an action of replevin, to deliver to the Clerk of the Court a memorandum in writing, as is required to be done before the issuing of a writ of summons, but the writ of replevin shall be issued by the Clerk of the Court, upon a proper bond being delivered to him, and the other pre-requisites of the law, if any, complied with.

**Mode of appearance.** 17. The mode of appearance to a writ of replevin by the defendant or defendants, shall be by delivering a memorandum in writing to the Clerk of the Court, like the one required for appearing to the writ of summons.

**If defendant shall not appear.** 18. In all actions of replevin, if the defendant or defendants shall be returned "summoned" and shall not appear in person or by attorney, on or before the fourth day of the term, next succeeding that to which such return shall be made, the Court shall be authorized and required, on motion, to enter up judgment for the plaintiff or plaintiffs for the property replevied, and for damages in the discretion of the Court, upon satisfactory proof of any, and costs; which judgment shall be as valid and effectual, as an judgment rendered on the verdict of a jury.

**Shall endorse.** 19. The sheriff or other person serving the writ of replevin shall endorse on the same "replevied and delivered" or "eloigned" as a return to that part of the writ which directs the replevin; and on the part of the unit which directs the defendant or defendants to be summoned, the same returns as on the writ of summons.

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