

(If the plaintiff replies and new assigns to some of ^{Forms.} the pleas, and new assigns only to the other, the form may be as follows :)

LXXXIII. And the plaintiff, as to the — and — pleas, further says, that he sues not for the trespasses in the — pleas (the pleas not replied to,) admitted, but for the trespasses in the — pleas (the pleas replied to,) admitted, and also for, &c.

PLEAS IN ABATEMENT.

LXXXIV. That the plaintiff at the time of issuing the summons in this case, was and still is the wife of one R. B.

LXXXV. That the plaintiff is within twenty-one years of age; and has declared by attorney, when he should have declared, by next friend or guardian.

LXXXIV. That the said contract, in the declaration mentioned, was made by the defendant jointly with one W. P., who is still living and is residing in the county (or the city,) aforesaid; and was not made by the defendant alone, and therefore, the said W. P. should have been sued also.

(This form shall be sufficient whether the contract be by parol or by deed.)

FORM OF AFFIDAVIT TO PLEAS IN ABATEMENT, REQUIRED BY THE STATUTE XVI ANNE.

LXXXVII. — county.

M. R. (the defendant in the cause) makes oath and says, that the plea, hereunto annexed, is true in substance and in fact.

M. R.

Sworn before _____

FORM OF DECLARATION, WHEN THE SUMMONS IS RETURNED, AS TO SOME OF THE DEFENDANTS, "CANNOT BE FOUND."

LXXXVIII. (Venue.) R. G., by S. T., his attorney (or in person,) sues J. T. and M. B., (but M. B. cannot be found by the sheriff,) for (here state the cause of action,) and the plaintiff claims from J. T. (the person summoned,) § _____