

may be, be in the same position as to pleadings or other proceedings in the action as if he had appeared in time ; Provided always, that a Defendant appearing after the time appointed by the Writ, shall not be entitled to any further time for pleading or any other proceeding, than if he had appeared within such appointed time : Provided also, that if the Defendant shall appear after the time appointed by the Writ, and shall omit to give such notice of his appearance, the Plaintiff may proceed as in case of non-appearance.

Proviso.

Proviso.

10 LXIII. Every appearance by the Defendant in person shall give an address at which it shall be sufficient to leave all pleadings and other proceedings not requiring personal service, and if such address be not given, the appearance shall not be received, and if an address as given shall be illusory or fictitious, the appearance shall be irregular and may be set aside by the Court or a Judge, and the Plaintiff may be permitted to proceed by sticking up the proceedings in the office from whence the Writ was sued out.

Defendant appearing in person to give an address, &c.

20 LXIV. The mode of appearance to every such Writ of Summons or under the authority of this Act, shall be by filing with the proper officer in that behalf, a memorandum in writing according to the following form, or to the like effect :

Mode and form of appearance.

A. B., Plaintiff, against C. D. Defendant, } The Defendant, C.
 or } D. appears in person
 25 against C. D. and another } or
 or } E. F. Attorney for C.
 against C. D. and others. } D. appears for him.

(If the Defendant appears in person, here give his address.)

Entered the day of A. D., -18

30 LXV. All such proceedings as are mentioned in any Writ of Summons or Capias, or notice or warning thereto or thereon, issued, made or given by authority of this Act, may be had and taken (in default of a Defendant's appearance or putting in special bail) at the expiration of ten days from the service or execution thereof, on whatever day the last of such ten days may happen to fall, whether in term or vacation ; Provided always, that if the last of such ten days shall in any case happen to fall on a Sunday, Christmas Day or Good Friday, in either of such cases the following day, or the following Monday when Christmas Day falls on a Saturday, shall be considered as the last of such ten days ; Provided also, that if such Writ shall be served or be executed on any day between the first day of July and the twenty-first day of August in any year, special bail may be put in by the Defendant on bailable process, or appearance entered by the Defendant on process not bailable, at the expiration of such ten days ; Provided also, that no decla-

At what time certain proceedings may be taken if Defendant do not appear.

Proviso.

Proviso.

Proviso.