

notice demands a copy of the Plaintiff's complaint, and the Plaintiff or his Attorney does not leave a true copy of the complaint with the Clerk or Deputy Clerk where the original copy is filed, within twelve days after service of the summons, 5 the Defendant may sign interlocutory judgment against the Plaintiff.

in leaving copy of complaint after demand, Defendant may sign interlocutory judgment.

2. The Summons may, at the Plaintiff's option, be issued and served before filing the complaint, and without the notice of particulars of the Plaintiff's cause of action mentioned in 10 section *nineteen*, the body of the Summons being altered to correspond with the fact; but in that case the complaint shall afterwards be filed, and a notice of the filing thereof stating the Plaintiff's cause of action in the manner required by section *nineteen* must be served (without charge to the Defendant for 15 service or travelling fees to serve or any attendances thereon). The time for answering by the Defendant will, in such case, be within twenty days after the service of such notice.

Complaint need not be filed when summons issued.

Proceedings in such cases.

XXI. In case there shall be any Defendant in the action against whom no personal claim or complaint is made, the 20 Plaintiff may add to the notice indorsed on or annexed to the Summons, that such Defendant (naming him) is served, in order that any interest or claim he may have in respect of the subject matter of the action, may not be affected by its determination without notice, but if any such Defendant shall 25 unreasonably defend the action, he shall pay such costs to the Plaintiff as the Court shall award.

Where a Defendant is served against whom Plaintiff has no personal claim, he may give notice thereof.

Consequences if such Defendant unreasonably defend.

XXII. Any person who has an interest or right in the subject matter of the action, shall not be affected or injured as to such interest or right by the result of any proceeding in such action, 30 unless he be made a party thereto.

The determination of a suit is not to affect the interest of any person not made a party thereto.

XXIII. The Summons or any other paper in the action may be served by the Sheriff of the County where the Defendant or party to be served may be found, or by any of the Sheriff's Officers, or by any other literate person not a party to the 35 action; the service shall be made, and the Summons or other paper delivered to the Plaintiff or his Attorney whose name may be indorsed on the Summons or paper, together with a proper affidavit of service, with all reasonable diligence. The Plaintiff or his Attorney may, at his option, (but without 40 charge therefor) by indorsement on the Summons or paper, limit the time for service thereof, and the service shall be made accordingly. The Plaintiff or his Attorney may, at any time, where the time for service has not been limited by such indorsement, or if the time for service has been so limited at 45 any time after the expiration of the time so limited, call for a return as to service of the Summons or paper, which the Sheriff or other person employed to serve the same shall be bound to give forthwith, and if such Sheriff or person has not used due

Summons, &c. by whom served, &c.