

The State
v.
Sawyer.

If the arrest be not made at least four days, before the day of trial, a copy must in all cases be left. And a re-
turn of an arrest will not be deemed a good service of
warrant unless it be also returned either that the arrest
was made four days before the day appointed for the tri-
al, or that a copy was left the like number of days before
that day.

In this case, neither the warrant, nor the service of the
warrant, was legal, and the certiorari must be granted.

JOHN S. WRIGHT *versus* EDWARD BOSWORTH,
TRUSTEE.

In a process of foreign attachment, whenever the plaintiff elects to try the
question, whether chargeable or not, by a jury, the trustee is entitled to a
specification of the grounds on which the plaintiff will attempt to charge
him.

This was an action brought against Bosworth as the
trustee of John Foord, and the Plaintiff having elected to
try the question whether the trustee was chargeable by
a jury.

J. Parker, for the trustee, moved the court for an or-
der upon the plaintiff to file a specification of the grounds
upon which he sought to charge the trustee.

J. Bell, for the plaintiff.

By the Court. We are of opinion that it will be con-
venient in practice to establish it as a general rule that
whenever a plaintiff elects to put the case of a trustee to
a jury, he shall give to the trustee a specification stating
the ground on which he expects to charge the trustee.
The motion of the trustee in this case must prevail.