

ARTICLE LXXV.

PLEADINGS, PRACTICE AND PROCESS AT LAW.

PLEADINGS, PRACTICE AND PROCESS AT LAW.

1. What in general they shall be.

I.

Pleadings.

2. Facts only to be stated.
3. Plain statement of facts to be sufficient.
4. Formal conclusions and terminations to be unnecessary.
5. Statement of time and place, when unnecessary.
6. Special demurrers abolished.
7. General demurrer to be allowed, when.
8. Pleading over after demurrer overruled to be permitted without waiver of demurrer.
9. For what defects judgment shall not be arrested.
10. As many several matters to be pleaded throughout the pleadings as parties think necessary; departure.
11. *Non est factum* to be sworn to; in what cases and how oath may be dispensed with.
12. Counter claim or set-off to suit on specialty.
13. Counter claim or set-off to suit on simple contract.
14. Suit at law may be maintained on lost negotiable instrument; procedure in such cases.
15. Truth may be given in evidence on general issue in criminal prosecutions for libel.
16. Breaches in suits on bond of clerks and registers; how to be suggested.
17. Plea *non damnificatus* not to be received in such suits.

18. Execution on forfeited recognizance.
19. Pleadings upon return of execution in such cases.
20. Payment of money into court, in what cases allowed.
21. Replications to plea of payment into court; further proceedings in such cases.
22. Patented names of lands not necessary to be stated; substantial description of lands to be sufficient.
23. Suits against insurance, surety or bonding companies.

Forms of Pleadings.

24. Forms given to be sufficient; substance only necessary to be expressed; form of commencement of declarations; conclusion of declarations.
- Sub-secs 1-25. Statement of causes of action on contracts.
- Sub-sec. 26. On bill obligatory or bond.
- Sub-sec. 27. By assignee of chose in action.
- Sub-secs. 28-38. For wrongs independent of contract.
- Sub-secs. 39-40. Commencement of pleas.
- Sub-secs. 41-57. Pleas in actions on simple contract.
- Sub-secs. 58-62. Pleas in actions for wrongs.
- Sub-secs. 63-77. Replications.
- Sub-secs. 78-80. New assignment.
- Sub-secs. 81-83. Pleas in abatement.
- Sub-sec. 84. Affidavit to pleas in abatement.
- Sub-sec. 85. Declaration where some of defendants are returned *non est*.