

1904, art. 16, sec. 146. 1888, art. 16, sec. 133. Rule 15.

155. All bills and petitions shall be divided into paragraphs, as indicated in the preceding section, and be consecutively numbered, and shall contain simply a statement of the facts upon which the plaintiff asks relief, and, at his option, the facts which are intended to avoid an anticipated defence, and such averments as may be necessary, under the rules of equity pleading, to entitle the plaintiff to relief; and the prayer for relief shall specify particularly the relief desired, and shall also contain the prayer for general relief. And if an injunction, or other writ, or any special order, be required, pending the suit, it shall be specially prayed for; the several subjects of the prayer being formed into distinct paragraphs, and consecutively numbered. The ordinary or formal combination clause, the allegations of the want of remedy at law, and similar formal averments shall be omitted; nor shall it be necessary to pray that the defendants be required to answer, unless it be desired that they shall answer under oath, or there be special interrogatories appended to the bill to be answered by the defendants or some of them, in which cases, there shall be a prayer that the defendant or defendants be required to answer the bill, or the special interrogatories appended thereto, under oath.

Where the paragraphs of a bill are misnumbered, and more than one subject matter injected into a single paragraph, such defects should be taken advantage of by motion in the nature of a *ne recipiatur*, and not by demurrer. This section will be construed so as to exact a reasonable compliance with its requirements. *Chew v. Glenn*, 82 Md. 374.

Ibid. sec. 147. 1888, art. 16, sec. 134. Rule 16.

156. The prayer for process or for order of publication shall contain the names of all the defendants named in the introductory part of the bill or petition, and the place of their residence, as far as known; and if any of said defendants are known to be infants under age, or under any other disability, such fact shall be stated, so that the court may take order thereon, as justice may require. And if an injunction or other writ, or any special order be asked in the prayer for relief, that shall be sufficient, without repeating the same in the prayer for process.

A prayer for process held sufficient under this section, the name and residence of each defendant being set out. If the name and address of a sole defendant is given in one of the paragraphs of the bill it need not be repeated to the special prayer for a preliminary injunction, in order to ascertain the

The last sentence of this section does not prevent the court from referring to the special prayer for a preliminary injunction, in order to ascertain the extent of such injunction. *Consol. Gas Co. v. Baltimore County*, 98 Md. 694.

Ibid. sec. 148. 1888, art. 16, sec. 135. Rule 17.

157. At any time before the bill is taken *pro confesso*, or afterwards (before final decree), by the special leave of the court or judge thereof, the defendant may answer, plead or demur to the bill; and he may plead or demur to the whole bill, or to part thereof, and he may demur to part, plead to part, and answer as to the residue; but in every case in which the bill specially charges fraud, usury or combination, a plea to such part must be accompanied with an answer supporting the plea.