

**Cases by Consent.****56.**

Under this section, the next friend of an infant has authority to compromise and settle a suit. *Clark v. Southern Can Co.*, 116 Md. 92.

**Continuance.**

1914, ch. 1.

**70A.** When it shall appear that any attorney of record of any party to any suit or proceeding at law or in equity is a member of the General Assembly of Maryland, and the said General Assembly of Maryland shall then be in session, such suit or proceeding shall be continued from time to time until said General Assembly of Maryland shall have adjourned, unless such attorney shall upon the call of such suit or proceeding for trial waive the benefit of this Section.

**Ejectment.****71.**

Under this section, the plea of "not guilty" is a confession of possession and ejectment, and puts the title to the premises, the right of possession and the amount of damages. *Mullen v. Brydon*, 117 Md. 558.

**79.**

The rule requiring the plaintiff to show a good legal title is gratified by the proof of a title *prima facie* good. *Joseph v. Bonaparte*, 118 Md. 594.

**80.**

An action of trespass *q. c. f.* is often resorted to in trying titles to land, and in actions involving locations it is much more satisfactory to have a warrant of re-survey under this and the following sections. *B. & O. R. R. Co. v. Silbereisen*, 121 Md. 419.

**Equitable Defenses.****86.**

A plea to an action of ejectment purporting to be under this section held insufficient. Only facts which would lead a court of equity to restrain the execution of the judgment, which do not constitute a good defense at law and which do not amount to the general issue, may be pleaded under this section. Cases reviewed. *Bond v. Murray*, 118 Md. 449.

**Legal Sufficiency of Evidence.****91.**

To the second note to section 91 on page 1676 of volume 2 of the Annotated Code, add the case of *Wilkin Mfg. Co. v. Melvin*, 116 Md. 108. See article 5, sections 9 and 9A.

1914, ch. 109.

**91A.** In the trial of all actions at law in the courts of this State no question as to the sufficiency of the pleadings, as stating a cause of action or a defense, as the case may be, which might have been raised by demurrer, shall be raised by prayer or instruction at the trial; provided, however, that nothing in this Section shall be held to prevent the court from passing on the question of the legal sufficiency of the evi-