

- 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 defendants returned *non est*.
- Sub-secs. 86-89. Commencement of declarations by persons suing in special character.
- Sub-sec. 90. Conclusions of declarations by executors and administrators.
- Sub-secs. 91-93. Statement of causes of action by executors and administrators.
- Sub-sec. 94. Commencement of declarations against executors and administrators.
- Sub-sec. 95. Conclusions of declarations against executors and administrators.
- Sub-sec. 96. Statement of causes of action against executors and administrators.
- Sub-secs. 97-98. Commencement of pleas by executors and administrators.
- Sub-secs. 99-102. Pleas by executors and administrators.
- Sub-secs. 103-105. Commencement and conclusions of declarations by executors and administrators against executors and administrators.
- Sub-sec. 106. Profert and oyer.
- Sub-sec. 107. Common law or statutory forms may be used; bill of particulars, when required; cause of action filed with declaration under Speedy Practice Act treated as one of pleadings and plaintiff restricted thereby.
- Sub-secs. 108-109. Partnership, incorporation of parties, execution of written instrument filed, and ownership of automobile admitted, unless denied in succeeding pleading.

## II.

**PRACTICE.****Abatement and Revivor.**

29. What action shall and what shall not abate by death of parties; death of plaintiff; defendant.
30. Action for personal injuries shall not abate by death of plaintiff.
31. Attachment to compel appearance of representative of deceased defendant.
32. Proceedings to bring in representative of deceased plaintiff.
33. Proceedings in case of death of new parties.
34. Pleadings by new parties.
35. Costs, how to be taxed.
36. Non-resident heir, executor or other person proper to be made party, how to be brought in.
37. Further proceedings in such cases.
38. No action to abate by reason of marriage of parties; amendments in such cases.

**Amendment.**

39. Up to what stage of case proceedings at law amended.
40. No continuance granted unless justice requires.
41. No action to abate because of misnomer of plaintiff or defendant.
42. Upon nonjoinder or misjoinder of plaintiffs, court may allow amendment.
43. Proceedings upon nonjoinder or misjoinder of defendants.
44. Amendments for misjoinder or nonjoinder of plaintiffs or defendants, when made.
45. No amendment allowed wherein entire new parties are introduced.
46. Plaintiff may amend when heir at law or devisee has been omitted as defendant.
47. Amendments not allowed to any dilatory plea or plea of limitations.
48. Proceedings when amendment allowed after jury sworn.
49. Costs, how allowed.

**Arbitration and Award.**

50. All cases instituted by consent of parties thereto may be submitted for judgment upon award.
51. Award to lie in court four days before judgment entered; setting aside.