

1872, c 346
Pleadings, when
sufficient, with-
out reference to
mere form
11 Md 471, 18
Md 177 468, 21
Md 208 299 34
Md 609, 42 Md
1, 44 Md 319

Art 75, s 4
1856, c 112, s 137
Formal com-
mencement or
Id s 5
1856, c 112, s 53
When time or
place necessary
to be stated

Id s 6
1856, c
112, s 36 Special
Id s 7
1856, c 112, s 37
No general de-
murrer allowed
for mere form
13 Md 304, 17
Md 387, 21 Md

1867, c 388
Pleading over
to facts without
withdrawal of
demurrer
44 Md 319.

Questions of
law on demur-
rer to be decided
on appeal

Art 75, s 8
1809, c 153, s 2
1856, c 112, s 40.
Judgment not
to be arrested
or set aside for
mere form, or if
one good count
28 Md 53, 480,
30 Md 225, 322,

Id s 9
1856, c 112, s 43
Objection fatal
on demurrer,
cured by
verdict
21 Md 208, 280,
27 Md 520, 29
Md 74, 38 Md
114, 43 Md 10

Id s 10
1856, c 112, s 89
Several pleas
allowed when
consistent

No one plea to
contain distinct
matters of
defence

Id s 11
1785, c 80, s 3
Non est factum
to be pleaded on
oath

64. Any declaration which contains a plain statement of the facts necessary to constitute a ground of action shall be sufficient, and any plea necessary to form a legal defence shall be sufficient, without reference to mere form, thus to apply to replications, rejoinders, and all subsequent pleadings

65. It shall not be necessary to state any formal commencement or conclusion to any declaration or other plea.
conclusion not necessary 26 Md 380

66. It shall not be necessary to state time or place in any declaration or plea, except in cases where time or place forms a part of the cause of action or ground of defence

67. No special demurrer shall be allowed in any civil case.
demurrer not allowed 27 Md 467, 34 Md 206, 389 569, 44 Md 419, 45 Md 161

68. No general demurrer shall be allowed for a mere informal statement of a cause of action or defence, *provided*, such statement is sufficient in substance.

208, 537, 22 Md 103, 260, 323, 26 Md 308, 42 Md 374

69. In all cases, civil and criminal, in which any or either party shall demur to any indictment, declaration, plea, replication, rejoinder, surrejoinder, or other plea of any description of the opposite party, and the said demurrer shall be overruled, the party demurring shall have the right to plead over to the facts of the case by way of traverse or otherwise, without withdrawing his demurrer, and upon appeal or writ of error, shall have the questions of law arising upon the demurrer decided and determined, as fully to every intent as if the party demurring, had not pleaded over.

70. No judgment shall be arrested or set aside for any omission of mere matter of form, nor because one or more of the counts in the declaration may be bad, if there be one count sufficient in substance

384, 457, 38 Md 110, 39 Md 424, 42 Md 1, 43 Md 10

71. Where there is any imperfection, or omission whatever, in any pleading, which would be a fatal objection on demurrer, yet if the issue joined be such as necessarily required on the trial proof of the facts so imperfectly stated or omitted, such imperfection or omission shall be cured by the verdict.

72. The plaintiff in any action may plead, in answer to the plea or any subsequent pleading of the defendant, as many several matters as he shall think necessary to sustain his action; and the defendant in any action may plead, in answer to the declaration, or other subsequent pleading of the plaintiff, as many several matters as he shall think necessary for his defence; *provided*, that the pleading of the party be consistent with his previous allegation, and not a departure therefrom, and that no one plea contain distinct matters of defence or reply.

73. No plea of "non est factum" shall be received in any action, unless the party for whom such plea be tendered verify the same by affidavit, or unless the defendant, being heir, executor, or adminis-