

Insolvent proceedings pending

56th That he applied by petition as an insolvent debtor to the Circuit Court for ——— county (or Court of Common Pleas for the City of Baltimore), on the ——— day of ———, and the proceedings under the petition are still pending; and that the alleged claim accrued before the filing of his petition.

Same

57th. A defendant may plead, as in the above form, that he has applied by petition as an insolvent debtor to the proper court, and that the proceedings under his petition are still pending, and that the alleged claim accrued before the filing of his petition. And upon proof of the facts so pleaded, judgment shall only be entered subject to the result of the proceedings under the petition.

Judgment subject to proceedings.

*Forms of Pleas in Actions for Wrongs.*

*Non cul.*

58th That he did not commit the wrong alleged.

License.

59th. That he did what is complained of by the plaintiff's leave.

Denial of right of way.

60th. That the plaintiff was not entitled to the said way over the defendant's land as the plaintiff has alleged.

*Son assault de mesme*  
*Se defendendo.*

61st. That the plaintiff first assaulted him, and he committed the alleged assault in his own defence.

Right of way

62d That the defendant, at the time of the alleged trespass, was possessed of land called "Idlewild," in ——— county, and was entitled to a way from said land over the land of the plaintiff, to a public highway, for himself and his servants, with horses and wagons, to go and return at all times, at his and their free will, for the more convenient occupation of the said land of the defendant; and that the alleged trespass was a use by the defendant of said way.

*Forms of Replications.*

Commencement of replication

63d. The plaintiff as to the defendant's plea says (here state the matter of reply).

Second plea

64th. The plaintiff as to the second plea says (state the answer to the plea as in the following form).

*Non est factum*

65th. That the alleged release is not the plaintiff's deed.

Fraud

66th That the alleged release was procured by the fraud of the defendant

Limitations

67th. That the alleged set-off did not accrue within ——— years (state the period of limitation applicable to the case) before the plea pleaded.

Between merchants not residing in State

68th. That the plaintiff's claim is upon an account concerning trade between himself and defendant, as merchant and merchant, not residing in this State

Justification in assault.

69th. That the plaintiff was possessed of land called "Midsummer," in ——— county, whereon the defendant was trespassing and doing damage, whereupon the plaintiff requested the defendant to leave the said land, which the defendant refused to do, and thereupon the plaintiff gently laid his hands on the defendant in order

*Mollitur manus inposita.*