

1092 PLEADINGS, PRACTICE AND PROCESS AT LAW. [ART. 75.

P. G. L., (1860,) art. 75, sec. 1. 1856, ch. 112.

1. The practice, proceedings and pleadings in the several courts of law, shall be the same that were used and practised in the courts of law of this State at the time of the adoption of the constitution of 1851, except so far as the same are altered and changed by this code.

I.

PLEADINGS.

P. G. L., (1860,) art. 75, sec. 2. 1856, ch. 112, sec. 52.

2. Whatever facts are necessary to constitute the ground of action, defence, or reply, as the case may be, shall be stated in the pleading and nothing more; and facts only shall be stated, and not arguments, or inferences, or matter of law or of evidence, or of which the court takes notice *ex-officio*.

McDowell v. Goldsmith 6 Md. 338. Campbell v. Webb, 11 Md. 471. Kent v. Holliday, 17 Md. 387. Yinglung v. Kohlhass, 18 Md. 148. Felty v. Young, 18 Md. 163. Hagan v. Hendry, 18 Md. 177. Stirling v. Garritee, 18 Md. 468. McCeney v. Duvall, 21 Md. 166. Union Bank v. Tillard, 26 Md. 451. Shilling v. Carson, 27 Md. 187. Higgins v. Carlton, 28 Md. 143. C. & F. Nat. Bk. v. 1st Nat. Bk., 30 Md. 18. Billingslea v. Ward, 33 Md. 51. Gent v. Cole, 38 Md. 110. Spencer v. Trafford, 42 Md. 1. Gott v. State, 44 Md. 319. Ruby v. State, 55 Md. 488.

Ibid. sec. 3. 1870, ch. 420. 1872, ch. 346.

3. 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; this to apply to replications, rejoinders and all subsequent pleadings.

Karthus v. Owings, 2 G. & J. 441. Gardner v. Miles, 5 Gill, 100. Mitchell v. Williamson, 6 Md. 218. Campbell v. Webb, 11 Md. 471. Kent v. Holliday, 17 Md. 387. Yingling v. Kohlhass, 18 Md. 148. Felty v. Young, 18 Md. 163. Hagan v. Hendry, 18 Md. 177. Stirling v. Garritee, 18 Md. 468. McCeney v. Duvall, 21 Md. 166. Blackburn v. Beall's Ex'r, 21 Md. 208. Richardson v. Hall, 21 Md. 403. Everett v. State, 28 Md. 190. McAleer v. Horsey, 35 Md. 439. Crichton v. Smith, 34 Md. 47. Barton Coal Co. v. Cox, 39 Md. 33. Spencer v. Trafford, 42 Md. 1. Mitchell v. McCleary, 42 Md. 374. Gott v. State, 44 Md. 319. C. & P. R. R. Co. v. Slack, 45 Md. 161. Herbert v. Wich, 45 Md. 476. Maenner v. Carroll, 46 Md. 215. Lee v. Rutledge, 51 Md. 313. Ruby v. State, 55 Md. 488.