

CHAPTER 391.

AN ACT to authorize and direct the State Roads Commission to complete the gap in the old Baltimore and Washington Turnpike Road in the village of Elkridge, at the point where it formerly passed over the tracks of the Washington Branch of the Baltimore & Ohio Railroad.

(Vetoed.)

CHAPTER 392.

AN ACT to add a new section to Article 75 of the Code of Public General Laws of Maryland, title "Pleadings, Practice and Process at Law," sub-title "Pleadings," to follow immediately after Section 3 of said Article and be designated Section 3-A; thereby providing one form of action for all suits ex contractu.

Be it enacted by the General Assembly of Maryland, That a new section be, and the same is hereby added to Article 75 of of the Code of Public General Laws of Maryland, title "Pleadings, Practice and Process at Law," sub-title "Pleadings," said new section to follow immediately after Section 3 of said article, and to be designated as Section 3-A, and to read as follows:

3-A. In all actions ex contractu there shall be no distinction in the pleadings by reason of the presence or absence of a seal upon any instrument or writing involved in the case, except in so far as the presence or absence of a seal may affect the substantive rights of the parties (such as necessity for a valuable consideration, period of limitation, etc.), as distinct from matters of procedure; and counts for recovery upon sealed instruments may be joined with counts for recovery upon unsealed contracts, express or implied; and there shall be but one form of action for recovery upon any cause of action arising ex contractu or quasi ex contractu, namely, the action of assumpsit, in which it shall be sufficient for the plaintiff to state briefly in his declaration the facts essential to recovery (but nothing hereunder shall be construed as abolishing the use of the common counts). Provided, that no period of limitations now prescribed by law with respect to any cause of action now existing or hereafter arising shall be altered by this section. And in any such suit at law it shall be sufficient for the defendant to file a general issue plea that the defendant never was