

general issues, and the replication *de injuria*, and the formal travers with an *absque hoc* shall not be used.

OF DIRECT TRAVERSE.

A direct traverse shall consist of a direct denial.

45. A direct traverser shall consist of a direct denial of the facts alleged by the opposite party; and it shall always be expressed in the negative, unless opposed to a precedent negative, then it may be expressed in the affirmative.

46. Where, to any action for injury to person or character, or property, any matter of excuse or justification is pleaded, the plaintiff shall, in the replication, deny it in the words of the excuse or justification or to the like effect, or may plead some special defence.

OF INDIRECT TRAVERSE.

Defences shall be pleaded specially.

47. All defences, except a direct denial of the facts alleged, shall be pleaded specially.

Defendant shall join issue

48. Whenever a defendant shall plead special facts which deny indirectly the facts alleged by the plaintiff, if the plaintiff do not demur, he shall in the replication, either deny directly the special facts so pleaded, or plead some matter by way of confession and avoidance, and in either case the defendant shall join issue.

Defences that shall be pleaded specially.

49. Any defence, showing that a parol contract or deed sued on, is void or voidable, or the fact that the alleged deed was delivered to a third person as an escrow, shall be pleaded specially.

ARTICLE 3RD.

OF CONFESSION AND AVOIDANCE.

Shall be specially pleaded.

50. Any ground of defence, that admits the facts alleged in the declaration or in any other pleading, but avoids their legal effect, by some matter of justification or excuse, or of discharge or release, shall be specially pleaded.

Allowable.

51. The fiction of express color shall not be allowable.

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