

not entitle the opposite party to crave oyer of or set out upon oyer such deed, or other document.

At liberty to set out the whole or part.

59. A party pleading, in answer to any pleading in which any document is mentioned or referred to, shall be at liberty to set out the whole, or such part thereof, as may be material, and the matter, so set out shall be deemed and taken to be part of the pleading in which it is set out.

When any thing is alleged to have been generally done it shall be considered legally done.

60. Where in a pleading, any thing is alleged generally to have been done, it shall be considered as meaning legally done, and, by the proper instrument of writing where one is required, without stating how or in what manner it was done.

Lawful for plaintiff or defendant to aver

61. It shall be lawful for the plaintiff or defendant in any action, to aver performance of conditions precedent generally, and the opposite party shall not deny such averment generally, but shall specify in his pleading the conditions or conditions precedent, the performance of which he intends to contest.

Confined to fact and law as set forth in declaration.

62. Parties shall be respectively confined to the grounds both of fact and of law which they take in the declaration and the plea, and shall not resort to another in any subsequent pleading.

Not to anticipate the answer of the opposite party.

63. A pleading should not anticipate the answer of the opposite party. It is sufficient that each pleading contain facts which constitute a good, *prima facie* claim or defence, or reply, without reference to possible objections not yet urged. But where the matter is such, that its affirmation or denial is essential to the apparent or *prima facie* right of the party pleading, there it ought to be affirmed or denied in the first instance, though it may be such as would otherwise properly form the subject of objection on the other side.

Not to control its substance.

64. The form of pleading shall in no case whatever control its substance. Matter, though alleged in the form of inducement, if it be of the substance of the cause, may be pleaded to. And so, in all like instances.

Not to prove more than is needed.

65. If the plaintiff allege a greater title or estate than is necessary to sustain his cause of action and it be traversed to the full extent, he shall not be compelled to prove more than is necessary to sustain his action. And if a defendant puts into his plea more than is needed for his defence, he shall not be compelled to prove more than is needed for his defence.