

ARTICLE 6th.  
OF TITLE.

117. When, in pleading, any right or authority is set up in respect of property, personal or real, some title to that property must be alleged in the party, or in some other person from whom he derives his authority. And if a party be charged with any liability in respect of property, personal or real, his title to that property must be alleged, and proved as laid.

Title must be alleged.

118. In no case shall it be necessary to allege title more particularly than is sufficient to show the right or authority claimed, or the liability charged.

Only so far as to show right.

119. In the action of replevin, for cattle taken damage feasant, it shall be sufficient for the defendant to allege mere title of possession.

Action of replevin.

120. In an action for breaking the plaintiff's close, when the defendant justifies under a right of way or other incorporeal right over in the plaintiff's close, it shall not be necessary for the defendant, in his plea, to set forth his full title to another close in respect of which he claims such right, nor to set forth the particular ground of his right; but he may plead generally that he was possessed of his close, and had the right claimed, for the more convenient occupation of the close; as a plaintiff is allowed to do in his declaration, when suing for an injury to such incorporeal rights.

In an action where defendant justifies under right of way.

ARTICLE 7th.  
OF DERIVATION OF TITLE.

121. It shall not be necessary to allege the commencement of either a particular or of a superior estate, unless it be essential to the merits of the cause.

Not necessary to allege.

122. Where a party claims by inheritance, either by immediate or mediate descent, he shall allege how he is heir, as son, nephew, or otherwise.

Shall allege how he is heir.

123. Where a party claims by conveyance, he may state it according to its legal effect or name.

Party claiming by conveyance.