

TITLE FIFTH.  
REPLEADER.

129. Wherever the issue joined and tried shall be an immaterial one, the court shall award a repleader; and the parties shall begin to replead at the first fault which produced the immaterial issue. And the pleadings in such case, shall be in the forms hereinbefore prescribed for pleadings in general; and shall be substituted for the defective pleadings. Court shall award a repleader.

TITLE SIXTH.  
ABATEMENT.

130. It shall not be necessary to use any prayer of judgment in any plea in abatement. Nor shall it be necessary, in any plea in abatement to crave oyer of any instrument of writing on which the suit is brought, nor to insert it in the plea. Not necessary to use any prayer of judgment.

131. No formal defence, and no formal conclusion shall be required in pleas in abatement. They shall commence in the form hereinbefore prescribed for pleas in bar, or to the like effect. No formal defence or conclusion shall be required.

132. In a plea in abatement for the non-joinder of a co-defendant or co-defendants, it shall be necessary to allege, and to prove, that the persons mentioned as not joined, are still living and are residing in the county in which the suit is brought, or the city of Baltimore, if the suit be brought there. Necessary to allege and prove the residence of co-defendants.

133. All defects in pleas in abatement shall be corrected, upon motion, as in other pleadings under this code. All defects in pleas in abatement shall be corrected.

TITLE SEVENTH.  
MOTIONS.

134. Every motion required by this code shall be in writing, and shall assign reasons: but no particular form shall be necessary. Motions shall be in writing.

TITLE EIGHTH.  
GENERAL PROVISIONAL RULES.

135. Any matter of pleading, which shall not come within the special provisions of this code, and for which, there is not now some rule, which does Pleadings not within the special provisions of this code.