

court of Common Pleas for the city of Baltimore,) Forms.  
 on the — day of ——— eighteen hundred and  
 fifty four, and the proceedings under the petition are  
 still pending; and that the alleged claim accrued be-  
 fore the filing of his petition.

139. A defendant may plead, as in the above form,  
 that he has applied by petition as an insolvent debtor  
 to the proper court, and that the proceedings under  
 his petition are still pending, and that the alleged  
 claim accrued before the filing of his petition. And  
 upon proof of the facts so pleaded, judgment shall  
 only be entered subject to the result of the proceed-  
 ings under the petition.

#### PLEAS IN ACTIONS FOR WRONGS INDE- PENDENT OF CONTRACT.

LXI. That he did not commit the wrong alleged.

LXII. That he did what is complained of by the  
 defendant's leave.

LXIII. That the plaintiff was not entitled to the  
 said way over the defendant's land as the plaintiff  
 has alleged.

LXIV. That the plaintiff first assaulted him; and  
 he committed the alleged assault in his own defence.

LXV. That the defendant, at the time of the al-  
 leged trespass, was possessed of land called, "Idle-  
 wild," in ——— county, and was entitled to a way  
 from said land over the land of the plaintiff, to a pub-  
 lic highway, for himself and his servants with horses  
 and wagons, to go and return at all times, at his and  
 their free will, for the more convenient occupation of  
 the said land of the defendant; and that the alleged  
 trespass was a use by the defendant of said way.

#### REPLICATIONS.

LXVI. The plaintiff joins issue upon the defend-  
 ant's 1st, 2nd, &c. pleas.

LXVII. The plaintiff as to the second plea says  
 (state the answer to the plea as in the following  
 form.)

LXVIII. That the alleged release is not the plain-  
 tiff's deed.

LXIX. That the alleged release was procured by  
 the fraud of the defendant.