

THE REPLY.

Reply when to be put in, and what to contain.

When defendant may move for judgment upon an answer.

Demurrer to reply.

Plaintiffs'
reply.

XLIV. When the answer shall contain new matter, the plaintiff may, within *twenty days*, reply to it, denying, generally or particularly, each allegation controverted by him, or any knowledge or information thereof sufficient to form a belief; and he may allege, in ordinary and concise language, without repetition, matter not inconsistent with the complaint, in avoidance of the answer; or of any defence set up therein; or he may demur to the same for insufficiency, stating in his demurrer the grounds thereof. And the plaintiff may demur to one or more of several defences set up in the answer, and reply to the residue. 5

If the
answer
contain new
matter, and
plaintiff do not
reply or
demur.

XLV. If the answer contain a statement of new matter constituting a defence, and the plaintiff fail to reply or demur thereto within the time prescribed by law, the defendant may move, on a notice of not less than *ten days*, for such judgment as he is entitled to upon such statement; and if the case require it, a writ of inquiry of damages may be issued. 15

Demurrer to
reply.

XLVI. If a reply of the plaintiff to any defence set up by the answer of the defendant be insufficient, the defendant may demur thereto, and shall state the grounds thereof. 20

GENERAL RULES OF PLEADING.

No pleading but complaint, answer, reply and demurrers.

Verification of pleadings.

How to state an account in pleading.

Pleadings to be liberally construed.

Irrelevant or redundant matter to be stricken out.

Judgments, how to be pleaded.

Conditions precedent, how to be pleaded.

Private statutes, how to be pleaded.

Libel and slander, how stated in complaint.

Answer in such cases.

In actions to recover property distrained for damage, answer need not set forth title.

What causes of action may be joined in the same action.

Allegation not denied; when to be deemed true.

Pleadings
limited.

XLVII. No other pleading shall be allowed than the complaint, answer, reply and demurrers. 25