

OF THE PLEADINGS IN CIVIL ACTIONS.

Section 30. Forms of Pleadings heretofore existing abolished, except as allowed by this Act.

XXX. All the forms of pleadings heretofore existing are abolished, except as allowed by this Act, and hereafter the forms of pleadings in Civil Actions in Courts of Record in Upper Canada, and the Rules by which the sufficiency of the pleadings are to be determined, shall be those prescribed by this Act. But nothing herein contained shall be construed as prohibiting the use of such forms and parts of forms of pleading heretofore in use as are consistent with the provisions and spirit of this Act.

Forms of Pleadings heretofore existing abolished, except as allowed by this Act.

OF THE COMPLAINT.

Section 31. The first pleading to be the complaint.

32. What the complaint shall contain.

10 XXXI. The first pleading on the part of the Plaintiff shall be the complaint.

The first pleading to be the complaint.

XXXII. The complaint shall contain :

What the complaint shall contain.

1. The title of the cause, specifying the name of the Court and County in which the action is brought, the name of the County in which the Plaintiff desires the trial to be had, the date of filing the complaint and of issuing the Summons, and the names of the parties to the action, Plaintiff and Defendant.

2. A plain and concise statement of the facts constituting the cause of action without unnecessary repetition.

20 3. A demand of the relief to which the Plaintiff supposes himself entitled. If the recovery of money be demanded, the amount thereof shall be stated.

OF THE ANSWER.

Section 33. The only pleading by Defendant to be an answer.

34. What the Answer must contain.

35. The Answer may state as many defences as the Defendant has within certain limitations. Sham Answers may be struck out on motion.

XXXIII. The only pleading on the part of the Defendant shall be an answer, which must be in plain and concise language, without unnecessary repetition. The answer must be filed and a copy left as required by Section twenty.

The only pleading by Defendant to be an answer.

XXXIV. The answer of the Defendant must contain :

What the Answer must contain.