

XCVIII. All statements which need not be proved, such as the statement of time, quantity, quality and value where these are immaterial, the statement of losing and finding, and bailment in actions for goods and their value—the statements of
 5 acts of trespass having been committed with force and arms and against the peace of our Lady the Queen—the statement of promises which need not be proved, as promises in *indebitatus* counts and mutual promises to perform agreements, and all statements of a like kind, shall be omitted.

Statements which need not be proved need not be made.

10 XCVIX. Either party may object by demurrer to the pleading of the opposite party on the ground that such pleading does not set forth sufficient ground of action, defence or reply, as the case may be ; and where issue is joined on such demurrer, the Court shall proceed and give Judgment according as
 15 the very right of the cause and matter in law shall appear unto them, without regarding any imperfection, omission, defect in or lack of form, and no Judgment shall be arrested, stayed or reversed for any such imperfection, omission, defect in or lack of form.

Demurrers to be for substance only.

Court may give judgment on the substance without regarding form.

20 C. After this Act comes into operation, no pleading or amended pleading shall be deemed insufficient for any defect which could heretofore only be objected to by special demurrer.

No pleading invalid for any cause now pleadable only by special demurrer.

CI. If any pleading be so framed as to prejudice, embarrass, or delay the fair trial of the action, the opposite party may
 25 apply to the Court or a Judge to strike out or amend such pleading, and the Court or any Judge shall make such order respecting the same, and also respecting the costs of the application, as such Court or Judge shall see fit.

Unfair pleadings may be struck out.

CII. No rule to declare, to declare peremptorily, to reply or
 30 plead any pleading whatever, shall be allowed, but a notice requiring the opposite party to declare, reply, rejoin, or otherwise, as the case may be, within eight days, otherwise Judgment, shall be sufficient ; and such notice may be delivered separately or be indorsed on any pleading which the other
 35 party is required to answer.

Notice instead of Rule, to declare, etc.

CIII. Every declaration or other pleading shall be entitled of the proper Court, and of the day of the month and year when the same was filed, and shall bear no other time or date, and every declaration or other pleading shall also be entered on the
 40 record made up for trial, and on the Judgment Roll, under the date of the day of the month and year when the same respectively took place, and without reference to any other time or date, unless otherwise specially ordered by the Court or a Judge.

Entering, dating, and recording pleadings.

45 CIV. It shall not be necessary to make profert of any deed or other document mentioned or relied on in any pleading ; and,

Profert,oyer, &c.