



ing Pledges upon any Bill or Declaration, or for not alledging the bringing into Court any Bond, Bill, Indenture, or other Deed mentioned in the Declaration or other Pleading, or for want of Allegation of bringing into Court any Letters Testamentary, or Letters of Administration, or for Omission of by Force and Arms, and against the Peace, or for mistaking the Christian Name or Surname of the Plaintiff or Defendant, Demandant or Tenant. Sum or Sums of Money, Day, Month or Year, by the Clerk in any Bill, Declaration or Pleading, where the right Name, Surname, Sum, Day, Month or Year in any Writ, Plaint, Roll or Record proceeding, or in the same Roll or Record, where the Mistake is committed, is, or are once truly and rightly alledged, whereunto the Plaintiff might have demurred, and shewn the same for Cause, nor for want of Averment of *This he is ready to verify*, or for, *This he is ready to verify by Record*, or for not Alledging, *As it appears by Record* or for, *That there is no right Verue*, so as the Cause were tried by a Jury of the proper County or Place, where the Action is laid ner for that the Increase of Costs after a Verdict in an Action, or upon a Non Suit in Replevin, are not entered to be at the request of the Party, for whom the Judgment is given, nor by reason that the Costs in any Judgment whatsoever, are not entered to be by consent of the Plaintiff, but that all such Omissions, Variances, Defects and all other Matters of ~~the~~ like nature, not being against the Right of the Matter of the Suit, nor whereby the Issue or Trial are altered, shall be amended by the Justices or other Judges of the Courts where such Judgments are or shall be given, or whereunto the Record, is, or shall be removed by Writ of Error, or by Appeal in any Action real, personal or mixt, according to the Usage and Course of proceedings in this Province.

*And be it further enacted*, That where any Demurrer shall be joined, and entered in any Action or Suit in any Court of Record within this Province, the Judges shall proceed and give Judgment, according as the very right of the Cause and Matter in Law shall appear unto them, without regarding any Imperfection, Omission or Defect in any Writ, Return, Plaint, Declaration or other Pleading, Process or Course of Proceeding whatsoever, except those only which the Party Demurring shall specially and particularly set down and express together with his Demurrer, as Causes of the same, although such Imperfections, Omission or Defect be Matter of Substance, so as sufficient Matter appear in the said Pleadings, upon which the Court may give Judgment, according to the very Right of the Cause, and therefore no Advantage or Exception shall be taken of, or for an immaterial Traverse, or of, or for the Default of entering Pledges upon any Bill or Declaration or of or for the Default of Alledging the bringing into Court any Bond, Bill, Indenture or other Deed whatsoever mentioned in the Declaration or other Pleading, or of or for the Default of Alledging the bringing into Court Letters Testamentary or Letters of Administration or of or for the Omission of, by Force and Arms, and against the Peace or either of them; or of, or for the want of Averment of *This he is ready to verify*, or of, *This he is ready to verify by Record*, or of, or for not alledging as it appears by the Record, (but the Court shall give Judgment according to the