

PETITIONS—Continued

endorsement of, 235.
evidence in support of, 235, 168.
right, of, form of, 314
sale of infants' estate, for, 194.
tender of costs on service of, 130.

PLAINTIFF, attachment, in, proof of claim by, 203.

costs against, division of, 226.
joinder of, 68, 59.

of claims by, 81, 80.
judgment as fraudulent, in action to set aside, 137.

next friend of, consent of, 75, 70.
nominal, must give security for costs, 240.

non-appearance of, at trial, 147.
satisfaction by payment into court by, 144.

special cases, copies of, for judge's by, 126.

solicitor for, notice by, 65, 54.
substitution and addition of, 105.

third party proceedings not to pre-judice, 79, 77.

PLEADING. (See Admissions Amending Pleadings; Counterclaims; Statement of Claim; of Defence; Pleadings.)

abatement, in, abolished, 119.

definition of, 119.

actions, in, 60.

conspiracy for, 60.

admissions in, (See Admissions), 114, 103.

manner of making, 114, 103.

motion for relief on, 103.

agreement in writing, 118.

alimony actions, in, 3.

alternative, 117.

consistency of, 117.

amended, 129, 128.

delivery of, 72.

filing included, 131, 129.

pleading to, 125.

not, 125.

effect of, 125.

amendment of, 101, 36.

adding parties, refused at trial, 128.

Assignments Act, to plead, 126.

refused, 126.

costs of, 127.

defective material, to perfect, 127.

estoppel, to plead, 126.

fraud, to plead at trial, 127.

injunction action, in, 126.

making, manner of, 128.

interlineation, 128.

reprint, 128.

time for, 128.

failure to amend within, 128.

penalty for, 128.

PLEADING—Continued

matters arising pendente lite, to plead, 126.

application for, 130.

time for, 130.

defences arising after defence delivered, 131, 129.

before defence delivered, 131, 129.

counterclaim, to, 130.

leave required for, when, 129.

dispensed with, when, 129, 128.
plaintiff, original, not benefited, 129.

release, 129.

reply, if it constitutes a, 130.

set off, if a, 129.

new cause of action, to set up, 125.
order from, 287, 127.

affidavit in support, 127.

application for, 125.

affidavit in support of, 127.

costs of, 127.

notice of, at trial, 127.

principles applied on, 125.

time for, 125.

trial, at 125.

close of plaintiff's case, at, 125.

before trial, 125.

Referee has jurisdiction, 125.

payment before action, to plead, 126.

into court, to plead, 185, 48.

plaintiff entitled to relief on a defendant's pleadings, but not on his own, if, 125.

pleading after, 127.

refusal, grounds of, 127.

Statute of Frauds, to plead, 128, 126, 118.

Statute of Limitations to plead, 126.

test applied in allowing, 125.

time for making application for, 125.

close of, 112, 111.

reply delivered, if, 112.

condition precedent, (See).

contract, a, 118.

denial of, 118.

copies of, limited, 98.

counterclaim, a, 104.

damages, for, 104.

damages in an action for, 99.

delivery and marking of, 98.

amended, of, 104.

filing, of, included, 134.

requisites of, 125, 113.

demurrer, to, 125, 118.

denials, 103.

dilatory pleas, abolished, 117.