

BILL.

An Act to restrain technical objections in suits at Common Law.

WHEREAS for the advancement of justice and the Preamble.
 more speedy prosecution of suits, it is necessary
 that there should be a greater restriction of technical
 objections than now exists in pleading and practice:—
 5 Be it therefore enacted, &c.

That whenever after trial had in any form or cause of Party suc-
 action whatsoever, a rule or order shall be made by and ceeding on a
 Court of Common Law, to arrest the judgment, or to motion to ar-
 enter judgment *non obstante veredicto*, the party succeed rest judgment,
 10 ing upon such rule or order, to obtain the benefit thereof, or for judg-
 shall within two terms, inclusive, next after such rule or ment non ob-
 order granted, pay to the other party all such costs and stante, to pay
 expenses, taxable as between party and party, as the costs of trial.
 party succeeding on such trial shall be put to by reason
 15 of such trial, notwithstanding the verdict upon such trial
 has become abortive, in consequence of such arrest of
 judgment, or judgment *non obstante veredicto*, as aforesaid,
 otherwise such rule or order shall be of none effect, and
 the party succeeding on such trial may thereupon proceed
 20 to judgment and execution in the same manner as if such
 rule or order had not been made.

II. And be it enacted, That no judgment in any action Judgment not
 or suit shall be arrested or reversed on error or appeal, to be arrested
 by reason of any misjoinder of causes of action, in any for misjoinder
 25 such action or suit, but such misjoinder shall be cause of of causes of
 special demurrer only. action.

III. And be it enacted, That upon the delivery of any Pleading dem-
 special demurrer, the party whose pleading is demurred urred to may
 to, shall be at liberty to amend without payment of costs; be amended
 30 Provided always, that such amendment is made within without pay-
 eight days after service of a demand of joinder in demur- ment of costs,
 rer; And provided also, that the Court or any Judge Proviso.
 thereof, in which the action is brought, may, if such
 Court or Judge think fit, order costs to be paid upon
 35 such amendment, on a special application therefor. Proviso.

IV. And be it enacted, That whenever in any action Judgment on
 or suit judgment shall be given upon any issue in law, special demur-
 joined upon special demurrer, such judgment shall be rer to be final.
 final as if given upon general demurrer.

40 V. And be it enacted, That whenever in any plea, Any one or
 replication or subsequent pleading, in any action or suit, more material
 there are two or more material facts alleged, it shall and facts alleged
 in any plead-