

V. *And be it further enacted*, That where any Demurrer shall be joined in and entered in any Action or Suit in His Majesty's Supreme Court of Judicature aforesaid, or in any other of the Courts of Record which now are, or which hereafter shall or may be established within this Island, the Justice or Justices thereof 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, Complaint, Declaration or other Pleading, Process, or Course of Proceedings whatsoever, except those only which the Party demurring shall especially and particularly set down and express, together with his Demurrer, as Causes of the same, although such Imperfection, Omission or Defect be Matter of Substance, so as sufficient Matter appear in the said Pleadings, upon which His Majesty's said Supreme Court of Judicature, or any other Court of Record aforesaid, may give Judgment according to the very Right of the Cause; and therefore no Advantage or Exception shall be taken of or for any immaterial Traverse, or of or for the Default of entering Pledges upon any Bill or Declaration, or of or for the Default of alleging 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 alleging 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 alleging as it appears by the Record; but any of the said Courts shall give Judgment according to the very Right of the Cause as aforesaid, without regarding any such Imperfections, Omissions and Defects, or any other Matter of the like Nature, except the same shall be specially and particularly set down and shewn for Cause of Demurrer.

Justices shall give Judgment on Demurrer, &c. without regarding any defect in Writ, &c.

Exceptions.