

Facts alleged
in pleadings
and not de-
nied, &c.
deemed ad-
mitted costs.

LXXXVII. And be it enacted, That in any pleading in any contested civil case, every allegation of fact, the truth of which the opposite party shall not expressly deny or declare to be unknown to him, shall be held to be admitted by him: and the costs of proving any such allegation of fact or any document proved in evidence shall always be in the discretion of the Court, so that the whole or any part of such costs may be awarded against a party denying or not admitting any fact or document which in the opinion of the Court he must have known to be true or genuine, whatever be the event of the case.

Rules of con-
structions as to
pleadings

LXXXVIII. And be it enacted, That to all allegations of fact in any pleading, the ordinary rules of legal construction shall apply, so that it shall be sufficient to support any pleading that the facts alleged in it agree sufficiently with those proved to maintain the conclusions of such pleading or some of them, and that the Court shall be of opinion that the opposite party could not have been misled by such pleading as to the real nature and effect of the facts intended to be therein alleged and to be proved under such pleading: and the Court may in its discretion, at any time before judgment, and on such conditions as it shall deem just, allow any pleading to be amended so as to agree with the facts proved, if the Court shall be of opinion that the ends of justice will be promoted by allowing such amendment.

Court may
allow amend-
ment-

No form of
action or of
words to be
requisite.

LXXXIX. And be it declared and enacted, That in civil cases no form of action or of words is or shall be necessary in any declaration, opposition or other pleading or paper, but the parties may and shall respectively state *bonâ fide*, and to the best of their belief, the real facts on which they intend to rely, and which they allege to be true and offer to prove, in plain and concise language, to the interpretation of which the rules of construction applicable to such