

An. Code, 1924, sec. 169. 1912, sec. 154. 1904, sec. 145. 1888, sec. 132. Rule 6.

175. All bills and petitions in the introductory part thereof shall contain the names of all the parties, plaintiffs and defendants, by and against whom the suit is brought. The form shall be substantially as follows:

IN THE CIRCUIT COURT FOR COUNTY.
A B, *Plaintiff,*
against
C D, *Defendant,*

To the Honorable, the Judges of said Court:

Your orator, complaining, says:

1. That, etc., making each paragraph contain a succinct but a complete statement of fact.

It might have been claimed that a paragraph in a bill of complaint was demurrable under this and the following section; question not passed on. *Reynolds v. Russler*, 128 Md. 609.

See notes to sec. 176.

An. Code, 1924, sec. 170. 1912, sec. 155. 1904, sec. 146. 1888, sec. 133. Rule 7.

176. All bills and petitions shall be divided into paragraphs, as indicated in the preceding section, and be consecutively numbered, and shall contain simply a statement of the facts upon which the plaintiff asks relief, and, at his option, the facts which are intended to avoid an anticipated defence, and such averments as may be necessary, under the rules of equity pleading, to entitle the plaintiff to relief; and the prayer for relief shall specify particularly the relief desired, and shall also contain the prayer for general relief. And if an injunction, or other writ, or any special order, be required, pending the suit, it shall be specially prayed for; the several subjects of the prayer being formed into distinct paragraphs, and consecutively numbered. The ordinary or formal combination clause, the allegation of the want of remedy at law, and similar formal averments, shall be omitted; nor shall it be necessary to pray that the defendants be required to answer, unless it be desired that they shall answer under oath, or there be special interrogatories appended to the bill to be answered by the defendants, or some of them, in which cases there shall be a prayer that the defendant or defendants be required to answer the bill, or the special interrogatories appended thereto under oath.

This section recognizes the principle that every bill in equity must contain a clear statement of the facts upon which the plaintiff relies for relief; requisites of bill for specific performance and for injunction. *McDowell v. Biddison*, 120 Md. 125; *Chesapeake Beach Co. v. Hall*, 121 Md. 654.

Where the paragraphs of a bill are misnumbered, and more than one subject matter injected into a single paragraph, such defects should be taken advantage of by motion in the nature of a *ne recipiatur*, and not by demurrer. This section will be construed so as to exact a reasonable compliance with its requirements. *Chew v. Glenn*, 82 Md. 374.

See notes to sec. 175.

An. Code, 1924, sec. 171. 1912, sec. 156. 1904, sec. 147. 1888, sec. 134. Rule 8.

177. The prayer for process, or for order of publication, shall contain the names of all the defendants named in the introductory part of the bill or petition, and the place of their residence, as far as known; and if any of said defendants are known to be infants under age, or under any other disability, such fact shall be stated, so that the court may take order thereon, as justice may require. And if an injunction, or other writ, or any special order be asked in the prayer for relief, that shall be sufficient, without repeating the same in the prayer for process.