

Rule 39-1054. Specific Averments. Abstract of Title

The defendant, or any one of several defendants, may disclaim title and deny possession of the whole of the land claimed in an action of Ejectment, in writing and under oath; and thereupon the action shall stop as to those disclaiming unless the plaintiff, within twenty (20) days after notice, shall traverse such denial or possession under oath in which case the cause shall go to trial. If the defendant disclaims and offers to confess judgment for a part of the land claimed and the plaintiff refuses to accept the same and fails to recover more than was embraced in said offer, he shall pay all costs incurred subsequent thereto.