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SCHEDULE A

REFERRED TO IN THE FOREGOING ACT

No. 1

Writ where the Defendant resides within the Jurisdiction

Victoria, by the Grace of God, &c. To CD. Of _____ in the County of We command you, That within Eight Days after the Service of this Writ on you, inclusive of the Day of such Service, you do cause an Appearance to be entered for you in Our Court of _____ in an Action at the Suit of A.B.; and take notice, that in default of your so doing the said A.B. may proceed therein to Judgment and Execution. Witness, &c.

Memorandum to be subscribed on the Writ

Indorsement to be made on the Writ before Service thereof

This Writ was issued by E.F. of _____ Attorney for the said Plaintiff, or this Writ was issued in Person by A.B., who resides at [mention the City, Town, or Parish, and also the Name of the Hamlet, Street, and Number of the House of the Plaintiff's Residence, if any such].

Indorsement to be made on the Writ after Service thereof

This Writ was served by X. Y. on L.M. [the Defendant or One of the Defendants], on Monday the _____ Day of _____ 18___. (Signed) _____ X.Y. No. 2

Writ where the Defendant, being a British Subject, resides out of the Jurisdiction

Victoria, by the Grace of God, &c. To CD. of _____ in the County of _____. We command you, That within [here insert a sufficient Number of Days within which the Defendant might appear, with reference to the Distance he may be at from England] Days after the Service of this Writ on you, inclusive of the Day of such Service, you do cause an Appearance to be entered for you in Our Court of _____ in an Action at the Suit of A.B.; and take notice, that in default of your so doing the said A.B. may, by Leave of the Court or a Judge, proceed therein to Judgment and Execution. Witness, &c.

Memorandum to be subscribed on the Writ

Indorsement to be made on the Writ before the Service thereof

This Writ is for Service out of the Jurisdiction of the Court, and was issued by E.F. of _____ Attorney for the said Plaintiff, or this Writ was issued in Person by A.B., who resides at [mention the City, Town, or Parish, and also the Name of the Hamlet, Street, and Number of the House of the Plaintiff's Residence, if any such]. The Indorsement required by the 8th Section should be made on this Writ, but should allow the Defendant the Time limited for Appearance to pay the Debt and Costs. No. 3

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Writ where the Defendant, not being a British Subject, resides out of the Jurisdiction

Victoria, by the Grace of God, &c. To CD. _____ late of _____ in the County of _____ We command you, That within [here insert a sufficient Number of Days within which the Defendant might appear, with reference to the Distance he may be at from England] Days after Notice of this Writ is served on you, inclusive of the Day of such Service, you do cause an Appearance to be entered for you in Our Court of _____ in an Action at the Suit of A.B.; and take notice, that in default of your so doing the said A.B. may, by Leave of the Court or a Judge, proceed therein to Judgment and Execution. Witness, &c.

Memorandum to be subscribed on the Writ

E.F. of _____ &c. Attorney for A.B. No. 4

Special Indorsement

[After the Indorsement required by the 8th Section of this Act, this special Indorsement may be inserted.] The following are the Particulars of Plaintiff's Claim

	£	s.	d.
1849.—June 20. Half Year's Rent to this Day of House and Premises in Street, Westminster	25	10	0
Sept. 12. Ten Sacks of Flour at 40s.	20	0	0
Dec. 1. Money received by Defendant	17	0	0
	62	10	0
Paid	15	0	0
Balance due	£47	10	0

Or,

To Butchers Meat supplied between the 1st of January 1849 and the 1st of January 1850	£52
Paid	£20
Balance	£32

[If any Account has been delivered, it may be referred to, with its Date, or the Plaintiff may give such a Description of his Claim as in a Particular of Demand, so as to prevent the Necessity of an Application for further Particulars.] Or,

£50 Principal and Interest due on a Bond dated the Day of _____ conditioned for the Payment of 1001. Or,

£90 Principal and Interest due on a Covenant contained in a Deed dated the _____ Day of _____ to pay 100/. and Interest. Or,

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A Penalty of 100/. under the Statute 55 Geo. III. c. 137. Or,
£85 on a Bill of Exchange for 100 dated the 2d February 1849, accepted or drawn, or indorsed
by the Defendant. Or,
£50 on a Guarantee dated the 1st of January 1850, whereby the Defendant guaranteed the due
Payment by E.F. of Goods supplied or to be supplied to him. [To any of the above may be added,
in Cases where Interest is payable,

“the Plaintiff also claims Interest on £_____ of the”above Sum from the Date of
the Writ until Judgment.”]

N. B.—Take notice, That if a Defendant served with this Writ within the Jurisdiction of the
Court do not appear according to the Exigency thereof, the Plaintiff will be at liberty to sign
final Judgment for any Sum not exceeding the Sum above claimed [with Interest at the Rate
specified], and the Sum of £ for Costs, and issue Execution at the Expiration of Eight Days from
the last Day for Appearance.. No. 5 In the Queen's Bench :

On the _____ Day of _____ A.D. 1850. [Day of signing the Judgment.]

England to wit.

A.B. in his own Person [or, by his Attorney]
sued out a Writ of Summons against CD.,
indorsed according to the " Common Law
Procedure Act, 1852," as follows :

[Here copy Special Indorsement.] And the said CD. has not appeared : Therefore it is
considered that the said A.B. recover against the said CD. £ _____ together with
£ _____ for Costs of Suit. No. 6 In the Queen's Bench :

The _____ Day of _____ in the Year of our Lord 18__.

Yorkshire to wit.

Whereas A.B. has sued CD., and _____
affirms, and denies.

[Here state the Question or Questions of Fact to be tried.] And it has been ordered by the Hon.
Mr. Justice , according to " The Common Law Procedure Act, 1852," that the said Question
shall be tried by a Jury: Therefore let the same be tried accordingly. No. 7

*Form of Rule or Summons where a Judgment Creditor
applies for Execution against a Judgment Debtor*

[Formal Parts as at present.]

CD. show Cause why A.B. [or as the Case may be] should not be at liberty to enter a Suggestion
upon the Roll in an Action wherein the said A.B. was Plaintiff and the said CD. was Defendant,
and wherein the said A.B. obtained Judgment for £ against the said CD- on the _____
Day of _____, that it manifestly appears to the Court that the said A.B. is entitled
to have Execution of the said Judgment, and to issue Execution thereupon, and why the said
CD. should not pay to the said A.B. the Costs of this Application, to be taxed. [Note,—The
above Form may be modified so as to meet the Case of an Application by or against the
Representative of a Party to the Judgment.] No. 8 Form of Suggestion that the Judgment Creditor
is entitled to Execution against the Judgment Debtor. And now on the _____ Day
of _____ it is suggested and manifestly appears to the Court, that the said A.B. [or
CD., as Executor of the last Will and Testament of the said A.B. deceased, or as the Case may
be,] is entitled to have Execution of the Judgment aforesaid against the said E. F. [or against G.
H., as Executor of the last Will and Testament of the said E.F., or as the Case may be] : Therefore

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it is considered by the Court that the said A.B. [or, CD., as such Executor as aforesaid, or as the Case may be,] ought to have Execution of the said Judgment against the said E.F. [or against G.H., as such Executor as aforesaid, or as the Case may be.] No. 9

Form of Writ of Revivor

Victoria, by the Grace of God, &c, to E.F. of _____ greeting. We command you that, within Eight Days after the Service of this Writ upon you, inclusive of the Day of such Service, you appear in our Court of _____ to show Cause why A.B. [or CD., as Executor of the last Will and Testament of the said A.B. deceased, or as the Case may be,] should not have Execution against you [if against a Representative, here insert, as Executor of the last Will and Testament of _____ deceased, or as the Case may be] of a Judgment whereby the said A.B. [or as the Case may be] on the _____ Day of _____ in the said Court recovered against you [or as the Case may be] £ _____; and take notice, that in default of your so doing the said A.B. [or as the Case may be] may proceed to Execution. Witness, &c. No. 10 In the Queen's Bench :

The _____ Day of _____ in the Year of our Lord 18 . [The Day of lodging Note of Error."]

A.B. and CD. in Error. The Plaintiff [or Defendant] says that there is Error in Fact in the Record and Proceedings in this Action, in the Particulars specified in the Affidavit hereunto annexed. (Signed) A.B., Plaintiff. [or CD., Defendant.] [or E.F., Attorney for Plaintiff] [or Defendant]. No. 13 Ejectment

Form of Writ

Victoria, &c, to X., Y., Z., and all Persons entitled to defend the Possession of _____ [describe the Property with reasonable Certainty] in the Parish of _____ in the County of _____ to the Possession whereof A., B., and C, some or One of them, claim to be [or to have been on and since the _____ Day of _____ A.D. _____] entitled, and to eject all other Persons therefrom:

These are to will and command you, or such of you as deny the alleged Title, within Sixteen Days after Service hereof, to appear in Our Court of _____ to defend the said Property, or such Part thereof as you may be advised; in default whereof Judgment may be signed, and you turned out of Possession. Witness, &c. No. 14

Judgment in Ejectment in case of Non-appearance

In the Queen's Bench:

The _____ Day of _____ 18__ . [Date of Writ.]

Lancashire to wit.

On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court in these Words;
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that is to say,

Victoria, by the Grace of God [here copy the Writ]; and no Appearance has been entered or Defence made to the said Writ: Therefore it is considered that the said [here insert the Names of the Persons in whom Title is alleged in the Writ] do recover Possession of the Land in the said Writ mentioned, with the Appurtenances. No. 15 In the Queens Bench :

On the _____ Day of _____ A.D. 18__ :

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Cumberland to wit.

On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court, in these Words :

that is to say,

Victoria, by the Grace of God [here copy the Writ]; and CD. has, on the _____ Day of _____ appeared by _____ his Attorney [or in Person] to the said Writ, and has defended for a Part of the Land in the Writ mentioned; that is to say [here state the Part], and no Appearance has been entered or Defence made to the said Writ, except as to the said Part: Therefore it is considered that the said A.B. [the Claimant] do recover Possession of the Land in the said Writ mentioned, except the said Part, with the Appurtenances, and that he have Execution thereof forthwith; and as to the rest, let a Jury come, &c. No. 16 In the Queen's Bench:

On the _____ Day of _____ A.D. 18__.

Cumberland to wit

On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court, in these Words ;

that is to say,

Victoria, by the Grace of God [here copy the Writ]; and CD. has, on the _____ Day of _____ appeared by _____ his Attorney [or in Person], to the said Writ, and defended for the whole of the Land therein mentioned: Therefore let a Jury come, &c. No. 17 Afterwards on the _____ Day of _____ A.D. before _____ and _____ Justices of our Lady the Queen assigned to take the Assizes in and for the within County, come the Parties within mentioned ; and a Jury of the said County being sworn to try the Matters in question between the said Parties, upon their Oath say, that A.B. [the Claimant] within mentioned, on the _____ Day of _____ A.D. _____ was. and still is, entitled to the Possession of the Land within mentioned, as in the Writ alleged: Therefore, &c. No. 18. In the Queen's Bench :

On the _____ Day of _____ 18__ . [Date of Writ]

Lancashire to wit.

On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court, in these Words ;

that is to say,

Victoria, by the Grace of God [here copy the Writ] ; and CD. has, on the _____ Day of _____ appeared by _____ his Attorney [or in Person] to the said Writ, and A.B. has discontinued the Action : Therefore it is considered that the said CD. be acquitted, and that he recover against the said A.B. £ for his Cost of Defence. No. 19 In the Queen's Bench:

The _____ Day of _____ 18__ :

[Date of Writ]

Lancashire to wit.

On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court, in these Words;

that is to say,

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Victoria, by the Grace of God [here copy the Writ] ; and CD. has, on the _____ Day of _____ appeared by _____ his Attorney [or in Person] to the said Writ, and A.B. has failed to proceed to Trial, although duly required so to do: Therefore it is considered that the said CD. be acquitted, and that he recover against the said A.B. £ _____ for his Costs of Defence. No. 20 In the Queen's Bench: The _____ Day of _____ 18__ . [Date of Writ.]

Lancashire to wit.

On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court, in these Words;

that is to say,

Victoria, by the Grace of God [here copy the Writ] ; and CD. has, on the _____ Day of _____ appeared by his Attorney [or in Person] to the said Writ, and the said CD. has confessed the said Action [or has confessed the said Action as to Part of the said Land, that is to say, here state the Part] : Therefore it is considered that the said A.B. do recover Possession of the Land in the said Writ mentioned [or of the said Part of the said Land], with the Appurtenances, and £ _____ for Costs. No. 21 In the Queen's Bench: The _____ Day of _____ A.D. 18__ . [Date of Writ.]

Yorkshire to wit.

On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court, with a Notice

thereunder written, the Tenor of which Writ and Notice follows in these Words; that h to say, [Here copy the Writ and Notice, which latter may be as follows ;] " Take notice, That you will be required, if ordered by the Court " or a Judge, to give Bail by yourself and Two sufficient Sureties, " conditioned to pay the Costs and Damages which shall be recovered " in this Action."] And CD. has appeared by _____ his Attorney [or in Person] to the said Writ, and has been ordered to give Bail, pursuant to the Statute, and has failed so to do i Therefore it is considered that the said [here insert Name of Landlord] do recover Possession of the Land in the said Writ mentioned, with the Appurtenances, together with £ _____ for Costs of Suit.