



Common Law Procedure Act 1852

1852 CHAPTER 76

Error

CLVIII Proceedings in Error in Fact.

Either Party alleging Error in Fact may deliver to One of the Masters of the Court a Memorandum in Writing, in the Form contained in the Schedule (A.) to this Act annexed, marked No. 12., or to the like Effect, intituled in the Court and Cause, and signed by the Party or his Attorney, alleging that there is Error in Fact in the Proceedings, together with an Affidavit of the Matter of Fact in which the alleged Error consists ; whereupon the Master shall file such Memorandum and Affidavit, and deliver to the Party lodging the same a Note of the Receipt thereof; and a Copy of such Note and Affidavit may be served on the opposite Party or his Attorney; and such Service shall have the same Effect, and the same Proceedings may be had thereafter as heretofore had after the Service of the Rule for Allowance of a Writ of Error in Fact.