



# Common Law Procedure Act 1852

1852 CHAPTER 76

## *Pleadings*

### **LXXIII Proceeding by Plaintiff after Payment into Court.**

The Plaintiff, after the Delivery of a Plea of Payment of Money into Court, shall be at liberty to reply to the same by accepting the Sum so paid into Court in full Satisfaction and Discharge of the Cause of Action in respect of which it has been paid in, and he shall be at liberty in that Case to tax his Costs of Suit, and, in case of Nonpayment thereof within Forty-eight Hours, to sign Judgment for his Costs of Suit so taxed, or the Plaintiff may reply that the Sum paid into Court is not enough to satisfy the Claim of the Plaintiff in respect of the Matter to which the Plea is pleaded; and, in the event of an Issue thereon being found for the Defendant, the Defendant shall be entitled to Judgment and his Costs of Suit.