Status: *This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

Common Law Procedure Act 1852

1852 CHAPTER 76

Writs for Commencement of Actions

VIII If Writ issued without Authority of Attorney Proceedings to be stayed. Indorsement of Debt and Costs on Writ and Copy of Writ for a Debt, with Notice that Proceedings will be stayed on Payment within Four Days.

Upon the Writ and Copy of any Writ served for the Payment of any Debt the Amount of the Debt shall be stated, and the Amount of what the Plaintiff's Attorney claims for the Costs of such Writ, Copy, and Service, and Attendance to receive Debt and Costs, and it shall be further stated that upon Payment thereof within Four Days to the Plaintiff or his Attorney, further Proceedings will be stayed; which Indorsement shall be written or printed in the following Form or to the like Effect:

> The Plaintiff claims £ for Debt, and £ for Costs, and if the Amount thereof be paid to the Plaintiff or to his Attorney within Four Days from the Service hereof further Proceedings will be stayed.

But the Defendant shall be at liberty, notwithstanding such Payment, to have the Costs taxed, and if more than One Sixth shall be disallowed, the Plaintiff s Attorney shall pay the Costs of Taxation.