



# Common Law Procedure Act 1852

1852 CHAPTER 76

## *Writs for Commencement of Actions*

### **XXI Substitution by Mistake or Inadvertence of One Form of Writ for another may be by Judge without Costs.**

If either of the Forms of Writ of Summons contained in the Schedule (A.) to this Act annexed, and marked respectively Nos. 1, 2, and 3, shall by Mistake or Inadvertence be substituted for any other of them, such Mistake or Inadvertence shall not be an Objection to the Writ or any other Proceeding in such Action, but the Writ may, upon an *ex parte* Application to a Judge, whether before or after any Application to set aside such Writ or any Proceeding thereon, and whether the same or Notice thereof shall have been served or not, be amended by such Judge without Costs.