



Common Law Procedure Act 1852

1852 CHAPTER 76

Amendment

And whereas the Power of Amendment now vested in the Courts and the Judges thereof is insufficient to enable them to prevent the Failure of Justice by reason of Mistakes and Objections of Form: Be it enacted as follows :

CCXXIAmendment.

It shall be lawful for the Superior Courts of Common Law, and every Judge thereof, and any Judge sitting at Nisi Prius, at all Times to amend all Defects and Errors in any Proceeding in Civil Causes, whether there is anything in Writing to amend by or not, and whether the Defect or Error be that of the Party applying to amend, or not; and all such Amendments may be made with or without Costs, and upon such Terms as to the Court or Judge may seem fit; and all such Amendments as may be necessary for the Purpose of determining in the existing Suit the real Question in controversy between the Parties shall be so made.