

At the sixth annual convention of the Judges of the Superior courts of Georgia, held at Milledgeville, in November 1830, the following alterations of the Rules adopted by the last Convention, were made and ordered to be published.

RULE 5th. When an appeal is entered, either of the parties litigant may make any amendment of the declaration or answer they may deem necessary. The party amending shall give notice thereof in writing accompanied by a copy of the amendment to the adverse party, three months previous to the next term, after the appeal; and if the party amending fail to give such notice, and the adverse party will state on oath that he is taken by surprise, and is less prepared for trial in consequence of the amendment, the cause shall be continued at the instance of the amending party.

RULE 15th. No certiorari will be sanctioned unless the alleged error be distinctly set forth in the petition; and no other errors shall be insisted upon at the hearing than are stated in the petition.

RULE 21th. No clerk shall suffer any original paper of file to be taken from

his office in vacation, without an order from the Judge for that purpose.

RULE 3th. Upon opening a judgment by default the defendant shall plead *instanter*, to the merits of the action; and no default shall be opened but upon payment of all costs which may have accrued, including two dollars of the attorney's fee: The entry of default, upon the bench docket shall be sufficient evidence of the judgment. If the plaintiff alleges himself to be surprised by the plea, the cause shall be continued at the instance of the defendant.

Additional Rule under the article *Surveys*.

Either party, in actions of ejectment, shall be entitled as matter of right to a rule of survey upon application to the clerk in vacation.

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