

Great Britain. Courts; Court of
common pleas.

R E P O R T S

OF

C A S E S

ARGUED AND DETERMINED

IN THE

Court of Common Pleas,

AND

OTHER COURTS.

With Tables of the Cases and Principal Matters.

By PEREGRINE BINGHAM,

OF THE MIDDLE TEMPLE, ESQ. BARRISTER AT LAW.

VOL. VII.

FROM MICHAELMAS TERM, 1 WILLIAM IV. 1830, TO
TRINITY TERM, 1 WILLIAM IV. 1831,

BOTH INCLUSIVE.

LONDON:

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FOR SAUNDERS AND BENNING,

(SUCCESSORS TO J. BUTTERWORTH AND SON),

43. FLEET-STREET.

1831.

ms -



Cox v. Bent the precise amount of rent due was admitted by the tenant. Here no specific sum has been mentioned.

Rule discharged.

1831.
 REGNART
 v.
 PORTER.

ADDIS Demandant, NORRIS Tenant, POWER Vouchee.

May 5.

JONES Serjt. moved to amend a recovery, and the warrant of attorney, by altering the vouchee's name from *Patrick Power* to *Patricio Nicholas Placedo Power*. The deed to lead the uses was executed in the name of *Patrick Power*, by which name the vouchee had always been called and known; but he now deposed that by a certificate of baptism from *Teneriffe*, the place of his birth, he had recently discovered that he had been baptized by the name of *Patricio Nicholas Placedo Power*. *Jones* referred to *O'Brien vouchee* (a), and *White demandant, Herne vouchee* (b), as authorities in support of his motion.

Where the warrant of attorney and deed to lead the uses were executed in a name by which the vouchee was commonly known, the Court refused to amend the recovery by substituting a different name by which, as he afterwards discovered, he had been baptized.

TINDAL C. J. You require us to alter the deed, which was not done in *White demandant, Herne vouchee*. If the vouchee be, as it is deposed, known by one name as well as the other, the amendment is unnecessary, and we are not to make it to humour the whims of conveyancers.

GASELEE J. The case of *O'Brien vouchee*, has been overruled by the practice of the last ten years.

Jones took nothing.

(a) 4 *Taunt.* 196.

(b) 8 *Taunt.* 27.

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