

entertain any such application, unless the party applying shall have given at least five days previous notice in writing to the opposite party, setting forth the irregularity complained of, and requiring the party to amend the same, or to abandon such irregular proceeding; and in case the party shall neglect or refuse to amend his irregular proceeding or abandon the same, and pay the sum of *five shillings* for such notice to the party by whom the same was given, within four days after the service thereof, then if the Court or Judge shall afterwards make an order to set aside such proceeding for irregularity, the attorney by whom such irregular proceeding shall have been taken shall pay all costs incurred thereby, and in setting the same aside; but if the Court or Judge shall refuse to make such order, then the attorney by whom the application to set the proceeding aside shall have been made, shall pay all costs incurred by such application and in opposing the same.