

and successors, all treasons and traitorous conspiracies and attempts which I shall know to be against him, or any of them; and all this I do swear, without any equivocation, mental evasion, or secret reservation, and renouncing all pardons and dispensations from any power or persons whomsoever to the contrary. So help me God.

### AMENDMENT.

By the 1 W. 4. c. 2. it is enacted, that any judge of any court of oyer and terminer and general gaol delivery, if such court or judge shall think fit, may cause the record on which any trial may be pending before any such court, in any indictment or information for any misdemeanor, when any variance shall appear between any matter in writing or in print, produced in evidence, and the recital or setting forth thereof upon the record whereon the trial is pending, to be forthwith amended in such particular, by some officer of the court.

### APPEAL.

AN APPEAL lies against a conviction, only in cases where it is expressly given by statute. *R. v. Hanson*. 4 B. & A. 519.

The statute which allows of an appeal, usually directs that a reasonable notice of the party's intention to appeal shall be previously given, either to the justices or to the complainant, or to both; but, unless required by the statute, a notice of appeal is not absolutely necessary; see *R. v. J.J. of Essex*, 4 B. & A. 276; and even in cases where such notice is required, it need not be in writing, unless required to be so by the statute. *R. v. J.J. of Salop*, 4 B. & A. 626. It is also required in many cases, that the party appealing shall enter into a recognizance with sureties conditioned to try the appeal, and to abide the judgment of the court thereon.

The terms in which these notices and recognizances are directed to be given by the several statutes, respectively, by which they are required, vary in many trifling particulars; but it may be sufficient to give the following forms, which have been framed upon one of Mr. Peel's acts, and which may be altered in particular cases, so as to make them conformable with the statute requiring them. *Archbold on Conv.*

#### Notice of Appeal. (*Archbold.*)

Home District, } To — of — in the said —  
to wit. } This is to give you [and each and every of you]  
notice, that I C. D. do intend, at the next general quarter sessions