

or officers shall have been duly elected under the authority of this Act.

**Mode of obtaining writs of Certiorari or Prohibition.** XV. And be it enacted, That all Writs of *Certiorari* and of prohibition shall issue out of the Superior Court, and shall be applied for in the like manner as Writs of *Mandamus*, and the like proceedings shall be had thereon as to service, appearance, entering default, pleading, proof and all other matters for the determination thereof, as on applications for Writs of *Mandamus*; Provided always, that it shall not in any case be requisite to issue any *alias* Writ of *Certiorari*, but all orders which for the attainment of the ends of justice it may become necessary for the Court, or any two of the Judges thereof, to make subsequently to the issuing of the first Writ, shall be made by interlocutory or final judgment, as in ordinary cases; And provided also, that no special affidavit shall be required to establish the service of any writ, order, rule or judgment connected with any of the proceedings provided for by this Act, but the return of service made in due form by the Bailiff under his oath of office, shall in all cases be considered as evidence of the facts therein stated, unless the same be controverted in due course of law; nor shall it be requisite for the party applying for any such Writ to give security either for costs or otherwise.

**Who may bring writs of appeal and error in case of the death of any of the parties to the original suit.** XVI. And be it enacted, That all writs of error and appeal may be brought either by the party against whom the judgment complained of was rendered, or, in case of his death, by his executors or administrators, if the judgment was to recover any debt, damages or personal property, or by his heirs, devisees or assignees; (*ayant cause*) if the judgment was for the recovery of real estate or the possession thereof, or if the title to real estate was determined thereby.

**And in the case of unmarried women or widows marrying again.** XVII. And be it enacted, That if a judgment be recovered against an unmarried woman or a widow, and she afterwards marry, a writ of error or appeal may be brought thereon by her and her husband jointly; and if a judgment shall have been obtained against several persons, and one or more of them die, a writ of error or appeal may be brought thereon by the survivor or survivors; and if, after the issuing of any writ of error or appeal, whether the same shall have been issued before or after the passing of this Act, any of the parties to the judgment complained of die, or shall have died, the proceedings on such writ of error or appeal may be continued by and between the survivors alone.

**As to the issuing of writs of *scire facias*, for annulling Letters Patent.** XVIII. And be it enacted, That all Writs of *scire facias* shall issue out of the said Superior Court; and it shall be lawful for the said Court to allow any such Writs to issue