

Defendants against the Plaintiff, according as the rights and liabilities of the respective parties shall appear, either upon confession, default by pleading, or on trial; and when judgment shall be rendered in favor of any Defendant, he shall recover costs against the Plaintiff, in the same manner as though judgment had been rendered for all the Defendants. Defendant's costs.

VII. *And be it further enacted by the authority aforesaid,* That in any such action any person or persons sued, shall be entitled to set off his or their demands against the Plaintiff, in the same manner as though such Defendant or Defendants had been sued in the form heretofore used. Set off may be pleaded.

VIII. *And be it further enacted by the authority aforesaid,* That if upon the trial of any such action, the whole amount of the demand set off by any or all of the Defendants and allowed by the Jury, shall be equal to or shall exceed the amount of the Plaintiff's demand, as proved on the trial, the Jury shall find a verdict in favor of the Defendants generally, but if the Jury shall allow any demand as a set off, and still find a balance in favor of the Plaintiff, they shall state in their verdict the amount which they allow to each Defendant, as a set off against the Plaintiff's demand. Verdict in set off.

IX. *And be it further enacted by the authority aforesaid,* That the rights and responsibilities of the several parties to any such Bill or Note as between each other, shall remain the same as though this Act had not been passed, saving only the rights of the Plaintiff, so far as they may have been determined by the judgment. Rights of the parties as between each other to remain.

X. *And be it further enacted by the authority aforesaid,* That in every suit brought pursuant to the provisions of this Act, any one or more of the Defendants shall be entitled to the testimony of any Co-Defendant, as a witness in all those cases where the Defendant or Defendants calling the witness would have been entitled to his testimony had the suit been brought in the form heretofore used, and in no other case. Defendants may be witnesses in certain cases.

XI. *And be it further enacted by the authority aforesaid,* That in all actions on Promissory Notes or Bills of Exchange, when the Plaintiff shall file a copy of such Promissory Note or Bill of Exchange with the Declaration, and shall also annex a copy of such Note or Bill to the copy of the Declaration that shall be served on any Defendant, the damages may be assessed as though the said Note or Bill of Exchange had been set out specially in said Declaration. Copy of the Bill or Note may be filed with the Declaration.