

any set off or other defence existing at the time of or before notice of the assignment.

XIII. An executor or administrator, a trustee of an <sup>Executors, &c.</sup> express trust, or a person expressly authorised by statute, may sue without joining with him the persons for whose benefit the suit is prosecuted.

XIV. When a married woman is a party, her husband <sup>When a married woman may sue alone.</sup> must be joined with her, except that,

1. When the action concerns her separate property she may sue alone.

2. When the action is between herself and her husband she may sue or be sued alone.

XV. When an infant is a party he must appear by <sup>Infants.</sup> guardian, who may be appointed by the Court in which the action is prosecuted, or by a Judge thereof, or a County Judge.

XVI. The guardian shall be appointed as follows: <sup>Guardians how appointed.</sup>

1. When the infant is plaintiff, upon the petition of the infant if he be of the age of fourteen years, or if he be under that age upon the petition of some other party to the suit or of a relative or friend of the infant.

2. When the infant is defendant, upon the petition of the infant, if he be of the age of fourteen years, and apply within twenty days after the service of the summons; if he be under the age of fourteen, or neglect so to apply, then upon the petition of any other party to the action, or of a relative or friend of the infant.

XVII. All persons having an interest in the subject of the action, and in obtaining the relief demanded, may be <sup>Joint plaintiffs.</sup> joined as plaintiffs, except as otherwise hereinbefore provided.

XVIII. Actions for the following causes must be tried in the County in which the subject of the action or some part thereof is situated, subject to the power of the Court <sup>Where actions must be tried.</sup> to change the place of trial, in the cases provided by statute.

1. For the recovery of real property or of an estate or interest therein, or for the determination, in any form, of such right or interest, and for injuries to real property.

2. For the partition of real property.

3. For the foreclosure of a mortgage of real property.