

successful party, and the judgment shall embrace an award of costs as in other cases, and execution may thereupon issue for the costs, in addition to seisin, or otherwise, as the case may be.

Commencement of action as herein provided, to stop the operation of any statute of limitations.

X. And be it enacted, That the commencement of any action by filing a declaration under the provisions of the first section of this Act, shall be deemed and held to be available to prevent the operation of any statute, whereby the time for commencement of any such action may be limited, as against all the parties named as Defendants in such Declaration at the time of filing thereof, and as well against the parties served as against any Defendant named therein, but who may not be subsequently served therewith. 5  
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Demand of plea, &c., not to be requisite or taxed.

.XI And be it enacted, That no demand of plea, nor rule to plead shall be necessary (or allowed in taxing the costs) in any action commenced by fying a declaration as provided by this Act. 15

Plaintiff compelled to compute, tax costs, and enter judgment in certain cases, instead of assessing by Jury.

XII. And be it enacted, That from and after the passing of this Act, it shall be compulsory upon the plaintiff to compute the amount of his claim, before the Master or Deputy, as the case may be, instead of assessing damages before a jury, and to tax costs, enter judgment and proceed thereon in all cases where before the passing of this Act, the principal and interest of the plaintiff's claim might have been computed by the officer, unless the Court or a Judge of the Court in which the action is pending shall otherwise order:—And that hereafter, in actions on bills of exchange and promissory notes, upon no plea being fyled within the time limited in that behalf, it shall be lawful for the plaintiff without signing interlocutory judgment, and without any notice, summons, rule or order for that purpose, to compute principal and interest, tax costs, and sign final judgment in the first instance, before the proper officer of the Court, and sue out execution; Provided always, that an affidavit of due service of the declaration, and notice to plead, and that the bill or note was duly declared on or set out in the declaration, shall be produced and fyled with the officer at the time of such computation. 20  
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Exception,

As to actions on notes or bills where there is no plea.

Proviso: affidavit of service of declaration, &c. required.

Any party to, or interested in an action, may be examined as witness, and compelled to attend for that purpose.

XIII. And be it enacted, That any party to any action, or for whose immediate benefit any action is prosecuted or defended, though not named as party to the action, may be examined as a witness at the instance of the adverse party or of any one or more of several adverse parties, and for that purpose may be compelled, in the same manner, and subject to the same rules of examination as any other witness, to testify either at the trial or upon interrogatories:—Provided always, that any party examined by an adverse party, as in this section provided, 45  
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Proviso: but may then