

dispute, such amount shall be understood
 2 to be that demanded and not that recovered,
 if they be different; but if the amount re-
 4 covered be such that it might have been
 recovered in any inferior Court, the plaintiff
 6 shall recover such costs only as he would
 have recovered if the suit had been brought in
 8 such inferior Court, unless the Court in
 which the suit is brought shall order other-
 10 wise.

Provision as to
 costs.

LXXXV. And be it enacted, That any
 12 party desiring to confess judgment in any
 cause, either in the Superior Court, or in
 14 the Circuit Court, except in non-appealable
 cases in the latter Court, shall fyle an
 16 appearance therein, and may then fyle a
 confession of judgment in writing, signed
 18 by him (or by an Attorney thereunto spe-
 cially authorized by an authentic *Acte* to
 20 be fyled with it,) and countersigned by
 his Attorney *ad litem*; and if the Plaintiff
 22 shall accept such confession, he may forth-
 with inscribe the case for judgment on the
 24 same, and the Prothonotary or Clerk shall
 thereupon draw up a judgment accordingly,
 26 which being signed by the Plaintiff or his
 Attorney, *ad litem*, shall be held to be the
 28 judgment of the Court, and recorded and
 executed accordingly; and in non-appeal-
 30 able cases in the Circuit Court, Judgment
 may be confessed orally in open Court.

Mode of con-
 fessing judg-
 ment, in ap-
 pealable or
 non-appealable
 cases in any
 Court.

Judgment on
 such confes-
 sion if accept-
 ed.

non-appeal-
 able cases.

LXXXVI. And be it enacted, That any
 confession of judgment fyled or made orally
 34 as aforesaid, and not accepted by the Plain-
 tiff, shall, if such Plaintiff shall not, by the
 36 judgment in the cause, recover more than he
 would have obtained judgment for under
 38 such confession, have the same effect, with
 regard to all costs incurred after the fyling
 40 or making of such confession as if it had
 been accepted by the Plaintiff at the time
 42 of the fyling or making thereof, and in any
 such case the Defendant shall be entitled
 44 to recover from the Plaintiff such costs,
 incurred by him after the fyling or making
 46 of such confession, as may be awarded to
 him by the Court in its discretion.

Effect of con-
 fession not ac-
 cepted by
 Plaintiff.