

not bound by such judgment; and they shall remain liable to be sued as if their original responsibility had been joint and several; *Provided*, that but one satisfaction of the debt or demand shall be made.

19. Upon all judgments rendered at the second term after the defendant has been summoned, the defendant shall be entitled to a stay of execution until the first Thursday of the ensuing term, with the privilege of superseding the same in the manner allowed by law, at any time within two months after the expiration of said stay, and with the power of prosecuting an appeal, or suing forth a writ of error, as authorized by law.

20. If an administrator conceives that he has not assets sufficient to discharge the claim, or any part thereof, for which a suit shall be brought against him, he may plead the fact, and a trial by jury shall be thereupon had.

21. If, on any trial so had against an administrator, the debt or demand of the plaintiff shall be contested, and there be any other issue joined than upon the subject of assets, the jury, if they find for the plaintiff upon the issue so joined, and the amount of assets found by them be less than the debt or demand of the plaintiff, shall declare the amount of the debt or demand, and also the sum to be paid by the defendant to the plaintiff, regard being had to the amount of the assets in hand, and the debts due from the deceased; and the court shall thereupon enter judgment against the defendant for the penalty of the bond or damages laid in the plaintiff's declaration and costs of suit, if the court shall so direct, to be released upon payment of the sum ascertained to be paid by the verdict of the jury and interest thereon, from the time of rendering the said judgment.

22. The sum so ascertained shall be levied of the goods and chattels of the deceased, or of the proper goods and chattels of the defendant, and the residue of the debt or damages so ascertained shall be levied of the goods and chattels of the deceased, which may thereafter come to the hands of the defendant, to be administered with interest as aforesaid, or of the proper goods and chattels of the defendant.