

## ASSIGNMENT OF CHOSSES IN ACTION.

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| <p>41. Assignee of chose in action, or of distributive share or legacy, may sue in his own name</p> <p>42. Equitable assignee of judgment may issue <i>scs fa</i></p> <p>43. Defendant to have same defence as against assignor</p> <p>44. Legal plaintiff dying, <i>cestus que uss</i> may prosecute suit.</p> <p>45. Surety, paying bond, etc, entitled to assignment, may sue these in his own name.</p> | <p>46. Surety, paying judgment, entitled to assignment, may issue execution in his own name</p> <p>47. Assignment of judgment to surety, remedy against plaintiff</p> <p>48. Assignee of sealed instrument may sue obligor, proviso</p> <p>49. Oath to be made by obligee before action can be maintained by assignee</p> <p>50. How judgment of State satisfied by a surety shall be entered to his use, and he be entitled to proceed against principal or other sureties.</p> |
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## PARTIES JOINTLY LIABLE

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| <p>51. How and when heirs and representatives bound</p> <p>52. When defendants reside in same county, only one suit to be brought</p> <p>53. When representatives may be sued</p> <p>54. Proceedings where defendant in the suit on joint obligation dies</p> <p>55. Where obligor dies after judgment.</p> <p>56. Obligors residing in different counties, how sued</p> <p>57. In suit against joint and several obligors:</p> | <p>how writ may be renewed, actions may be consolidated, judgment</p> <p>58. Where actions consolidated, but one action to be taxed</p> <p>59. Plaintiff may levy execution on either defendant</p> <p>60. Judgment against one not to merge cause of action.</p> <p>61. Where joint defendant in action <i>ex contractu</i> dies</p> <p>62. Husband and wife jointly sued</p> |
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## PLEADINGS.

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| <p>63. What necessary to be stated in pleadings</p> <p>64. Pleadings, when sufficient, without reference to mere form</p> <p>65. Formal commencement or conclusion not necessary</p> <p>66. Where time or place necessary to be stated</p> <p>67. Special demurrer not allowed</p> <p>68. No general demurrer allowed for mere form</p> <p>69. Pleading over to facts without withdrawal of demurrer, questions of law on demurrer to be decided on appeal</p> <p>70. Judgment not to be arrested or set aside for mere form, or if one good count</p> <p>71. Objection fatal on demurrer, cured by verdict.</p> <p>72. Several pleas allowed where consistent, no one plea to contain distinct matters of defence</p> <p>73. <i>Non est factum</i> to be pleaded on oath, unless defendant be heir or executor.</p> | <p>74. Claim in bar, or discount in suit on judgment or sealed instrument, judgment for the party in whose favor the excess is found</p> <p>75. Claim in bar, or discount in suit or simple contract.</p> <p>76. In libel, justification</p> <p>77. Pleading in suit on bond of clerk or register</p> <p>78. Plea of <i>non-damnificatus</i> not allowed</p> <p>79. State's attorney may order execution on forfeited recognizance</p> <p>80. On return of execution defendant may plead as on <i>scs fa</i>, not to be discharged until trial without payment or security</p> <p>81. In what cases defendant may pay money into court, by way of compensation</p> <p>82. Plaintiff may reply and accept, may have judgment for costs, issue found for plaintiff carries costs</p> <p>83. How husband to declare in suits in right of wife after her death.</p> |
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## FORMS OF PLEADINGS.

84. Forms of pleadings.

*Commencement of Declarations.*

Commencement of declarations.

*Conclusion of Declarations.*

Conclusion of same