

and not by all of them, the court may render judgment against such of the defendants as are proved on such trial to be jointly liable, upon any such contract, to the plaintiff or plaintiffs in said action.

When judgment may be rendered against plaintiff for costs.

SECTION 2. If on any such trial, no cause of action shall be established against either or any such defendants, such defendants shall be entitled to a judgment against the plaintiff in said action for costs, unless for good cause the court shall otherwise determine.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved February 21, 1863.

CHAPTER 17.

[Published February 24, 1863—republished March 2, 1863.]

AN ACT to authorize certain parties to be sworn and examined as witnesses in their own behalf.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows :

Owners, agents, &c., of ships and vessels may be sworn as witness in their own behalf.

SECTION 1. In all actions against any ship, boat or vessel, now pending or which may hereafter be brought in any of the courts of this state, the owner, agent, consignee, master or other person interested in said ship, boat or vessel, appearing and defending in such action, as well as the plaintiff or plaintiffs, may be examined as a witness in his, her or their own behalf, upon the trial of any such action, in like manner as in actions between individuals; and in all such cases the plaintiff or plaintiffs shall give the notice of the intended examination of a party in his own behalf, to the party or parties appearing and defending in behalf of such ship, boat or vessel. Where the examination of the party defending is intended, he shall give like notice to the party plaintiff. In either case the notice shall be the same as is required by the laws of this state, and may be served upon the party or his attorney.

Notice.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved February 21, 1863.