

~~the joint debtors takes effect in favour of, or against, all the joint debtors.~~

~~ILLUSTRATION.— D pretends that A, B and C are joint debtors for 1000 baht. D enters an action for payment against A. No clear evidence of the debt is produced. D declares that he will be satisfied if A swears that he does not owe the money claimed. A swears. If D subsequently demands payment from B, or C each of them can avail himself of the oath taken by A in the action between D and A, even should clear evidence of the debt produced against them.~~

~~If A had refused to swear and the Court had considered the refusal sufficient evidence that he is indebted to D, the refusal would also be evidence against B and C.~~

186[185]. — When one of the joint debtors is in default the other joint debtors are also in default.

ILLUSTRATION. — A, B and C are joint debtors of D for a sum of money. On the debt becoming due, D demands payment from A. If A does not pay, A, B and C are in default as debtors.

187[186]. — When the creditor is in default as regards one of the joint debtors he is in default as regards all the joint debtors.

~~the joint debtors takes effect in favour of, or against, all the joint debtors.~~

~~ILLUSTRATION.— D pretends that A, B and C are his joint debtors for 1000 baht. D enters an action for payment against A. No clear evidence of the debt is produced. D declares that he will be satisfied if A swears that he does not owe the money claimed. A swears. If D subsequently demands payment from B, or C each of them can avail himself of the oath taken by A in the action between D and A, even should clear evidence of the debt be produced against them.~~

~~If A had refused to swear and the Court had considered the refusal sufficient evidence that he is indebted to D, the refusal would also be evidence against B and C.~~

185

186.— When one of the joint debtors is in default the other joint debtors are also in default.

ILLUSTRATION.— A, B and C are joint debtors of D for a sum of money. On the debt becoming due, D demands payment from A. If A does not pay, A, B and C are in default as debtors.

186

187.— When the creditor is in default as regards one of the joint debtors he is in default as regards all the joint debtors.