

277 When the action has been tried by a jury, either party may, without any leave reserved, apply to set aside any judgment given in the action and enter any other judgment, on the ground that the judgment given is not in accordance with the verdict of the jury.

278. When an action has been tried by a Judge, either party may, without any leave reserved, apply to set aside such judgment and enter any other judgment, upon the ground that upon the finding of the Judge on any question of fact the judgment is wrong.

279. The jury may give a special verdict, stating the facts as they find them to be proved at the trial, without finding for either party. A special verdict shall be put into writing and signed by the foreman of the jury before they are discharged.

280. The jury may also give a verdict for either party, subject to a special case to be stated by the plaintiff and defendant.

281. When the jury have given a special verdict, or a verdict subject to a special case, either party may move for such judgment as he may consider himself entitled to. If the motion is on a special case a copy of the case shall be filed in Court along with the notice of motion.

282. If under any of the foregoing rules as to moving for judgment both parties move, their motions shall be heard together, unless it shall appear to the Court desirable to hear them separately.

283. If both parties move, their motions shall be heard together, unless it shall appear to the Court desirable to hear them separately.

284. A judgment may be either final or may direct such accounts to be taken, inquiries made, or other acts done, and proceedings instituted, as the Judge of the Court giving judgment may deem necessary, and may give the conduct of the action subsequently to judgment to such party to the action as to such Judge may appear proper.

285. If any party having the conduct of an action do not proceed with the accounts, inquiries, acts, or proceedings ordered, or do not take all necessary steps to have the same completed, the opposite party may move to dismiss the action, and the Court or Judge may make such order as to the prosecution of such accounts, inquiries, acts, and proceedings, or the dismissal of the action, or giving the conduct of the action to some other party, as may seem proper.

286. Either party may, at any time, apply for directions or further directions or orders as to such accounts, inquiries, acts, and proceedings, or for an order for additional accounts, inquiries, acts, or proceedings.

287 Any party to an action may, at any stage in the action, upon any admissions made by the statements of any opposite party, or on the result of any accounts, inquiries, acts, or proceedings being made known, move for any limited relief that such admissions, accounts, inquiries, acts, or proceedings may show him to be entitled to.

288. When the accounts, inquiries, acts, and proceedings ordered have been concluded, or if it shall appear unnecessary or impossible to proceed further with such accounts, inquiries, acts, or proceedings, either party may move for any further judgment he may deem himself entitled to.

289. If either party at any stage of the action obtain judgment by default, confession, or otherwise, on any cause of action, or for any limited relief, he shall be entitled to have such judgment prepared and signed, and to issue execution thereon at once without waiting to obtain judgment on any other cause of action, or as to any other relief claimed by him unless the Court or a Judge otherwise order.

290. If a counter claim be proved to any cause of action to an amount less than that recovered on the same cause of action, the plaintiff shall have judgment on that cause of action for the balance of his claim, after deducting the amount of the counter claim proved by the defendant.

291. If a counter claim be proved to any cause of action to an amount exceeding that recovered on the same cause of action, the defendant shall have judgment for such excess.

292. Where there are cross-judgments for money between the same parties, whether for debt, or damages and costs, or for costs alone, the one may be set off against the other by leave of the Court or a Judge. But no such set-off of one judgment against another shall be allowed to the prejudice of the solicitor's lien for costs due to him in the particular action against which the set-off is sought.

293. But in one action against several defendants, if the plaintiff succeeds against some and fail as against the others, the defendants who fail may set off the costs of the defendants who succeeds.

294. The judgment may award interest to the date of giving judgment to a successful party at the rate (if any) agreed on, or if no rate has been agreed on, then at such rate as the Judge, if the action is tried by a Judge, or the jury, if the action is tried by a jury, may think proper.

295. Every judgment debt shall carry interest at the rate of eight pounds per centum per annum from the time of judgment being given until the same shall be satisfied, and such interest may be levied under any writ of execution upon such judgment.

296. Judgments shall be drawn up by the proper officer of the Court as of the date upon which they were given, sealed with the seal of the Court, and filed along with the writ of summons and other documents filed in the action, and duplicates thereof may be issued out to any person applying therefor. A judgment when so filed shall be deemed to be signed for the purpose of issuing execution.

297 In actions for money the judgment may be indorsed on the statement of claim, and signed by the Judge presiding at the trial, and execution may issue on a judgment so indorsed.

298. The Judge presiding at the trial may, however, order the proper officer to draw up minutes of his judgment, and may order the successful party, or the party having the conduct of the action, to prepare a formal judgment based on such minutes, and that all necessary parties do attend before him in chambers to settle such judgment.

JUDGMENT BY CONFESSION

299. Judgment may be signed in any action upon a written confession of the action given by the defendant to the plaintiff, with or without condition annexed as to the time for satisfying the plaintiff's claim: Provided that no judgment shall be signed subject to condition without the plaintiff's consent in writing.