

or has not disclosed such facts as may be deemed sufficient to entitle him to defend the action, judgment may be given for the plaintiff.

(2) Such motion may be made in respect of a cause of action specially indorsed, though the writ may also be indorsed with any other claim.

(3) On any such motion any amendment of the writ which might be ordered on a substantive motion may be directed, and judgment may be awarded in accordance with the writ as amended. C.R. 603. *Amended.*

58. Where the defence disclosed applies only to a part of the plaintiff's claim, or any part of his claim is admitted to be due, the plaintiff shall have judgment forthwith for such part of his claim as the defence does not apply to, or as is admitted to be due, subject to such terms, if any, as to suspending execution, or payment into Court as may seem just, and the defendant may be allowed to defend as to the residue of the plaintiff's claim, or a reference may be directed under Rule 61. C.R. 604.

59. Judgment may be awarded and execution issued against any defendant without prejudice to the plaintiff's right to proceed against any other defendant. C.R. 605.

60. On any such motion, an order may be made, giving the defendant leave to defend either unconditionally, or subject to such terms as may seem just, or for a speedy trial of the action upon such terms as may be deemed proper. C.R. 606. *Amended.*

61. On any such motion, if it appears that the defence disclosed is substantially only as to the amount recoverable, the Court may direct a reference, and either pronounce judgment to take effect on the confirmation of the report, or reserve further directions and questions of costs for consideration after the report is made. C.R. 607.

62. Where a writ is specially indorsed and some special reason for urgency is shewn the plaintiff may, at any time, by leave, serve notice of motion for judgment. Such leave may be given *ex parte* and subject to such directions, as to the service of the notice of motion and filing and service of the affidavits and otherwise, as may seem just. C.R. 608. *Amended.*

63. In default of appearance when the plaintiff's claim is for an account, the plaintiff may apply for a judgment for the taking of the account claimed, with all directions usual in similar cases. C.R. 645.