

And may
enter into
agreement to
pay money or
not, according
to the result.

LXXVIII. The parties may, if they think fit, enter into an agreement in writing, which shall be embodied in the said or any subsequent order, that upon the finding of the Jury in the affirmative or negative of such issue or issues, a sum of money to be fixed by the parties, or to be ascertained by the Jury upon the issue or issues and evidence submitted to them, shall be paid by one of such parties to the other of them, either with or without the costs of the action. 5

Judgment
may be enter-
ed and execu-
tion issued,
&c., upon the
finding.

LXXIX. Upon the finding of the Jury upon any such issue, Judgment may be entered for any such sum as shall be so agreed or ascertained as aforesaid, with or without costs, as the case may be, and execution may issue upon such Judgment forthwith, unless otherwise agreed, or unless the Court or a Judge shall otherwise order for the purpose of giving either party an opportunity for moving to set aside the verdict or for a new trial. 10 15

Proceedings
may be re-
corded, &c.
Effect of judg-
ment.

LXXX. The proceedings upon any such issue may be recorded at the instance of either party; and the Judgment, whether actually recorded or not, shall have the same effect as any other Judgment in a contested action. 20

Parties may
agree upon a
special case.

LXXXI. The parties may, after writ issued and before Judgment, by consent and by order of a Judge, state any question or questions of law in a special case for the opinion of the Court, without any pleadings.

And may
agree to pay
or not to pay
money, accord-
ing to the
decision of
such case, &c.

LXXXII. The parties may, if they think fit, enter into an agreement in writing, which shall be embodied in the said or any subsequent order, that upon the Judgment of the Court being given in the affirmative or negative of the question or questions of law raised by such special case, a sum of money fixed by the parties, or to be ascertained by the Court or in such manner as the Court may direct, shall be paid by one of such parties to the other of them, either with or without costs of the action, and the Judgment of the Court may be entered for such sum as shall be so fixed or ascertained, with or without costs as the case may be, and execution may issue upon such Judgment forthwith, unless otherwise agreed or unless stayed by proceedings in error or appeal. 25 30 35

Costs, when
there is no
agreement
about them.

LXXXIII. In case no agreement shall be entered into as to the costs of such action, the costs shall follow the event, and be recovered by the successful party. 40

And for the more expeditious determination of mere matters of account; Be it enacted as follows:—

The Court or
a Judge on the
application of
either party

LXXXIV. If it be made to appear, at any time after the issuing of the writ to the satisfaction of the Court or a Judge, upon the application of either party, that the matters in dispute 45