

mitted to the Court of Appeals, instead of being heard by the court in *banc*

**122.** Whenever any cause shall be removed to any other court upon a point or question reserved for the court in *banc*, as herein provided, the said cause shall remain in the said court for trial as if the same had originated therein.

Id s 3  
Proceedings on removal

JUDGMENTS.

**123.** The court shall give judgment in all actions according to the very right of the cause and matter in law shall appear to them, without regarding any matters of mere form, so as sufficient matter shall appear in the proceedings, upon which the court shall proceed to give judgment, and that it shall appear that the action has been commenced after the cause thereof shall accrue.

Art 29, s 14  
1763, c 23, s 2  
Judgments to be given with-  
o it regard to  
mere form  
13 Md 378,  
44 Md 319  
4 G & J, 345

**124.** All judgments by confession on verdict, or by default, shall be so entered as to carry interest from the time they were rendered.

Id s 15  
1809, c 153, s 4,  
1811, c 161, s 5,  
1864, c 311.  
To carry in-  
terest from date  
26 Md 222,  
29 Md 473,  
37 Md 443

**125.** All judgments confessed on terms to be filed, and all judgments confessed without fixing the amount of the same, and where no cause of action is filed by which said amount may be ascertained, shall be considered interlocutory judgments; and the court shall, on motion of the plaintiff or his attorney, at any term subsequent to the entry of any such confession of judgment, order an inquisition or cause the judgment to be extended as in other cases of interlocutory judgments, or as upon a judgment by default.

1864, c 113  
Interlocutory  
judgments,  
when and how  
perfected  
20 Md 327  
32 Md 577

**126.** In all cases in any action on any promissory note, bill, bond, or open account, in which an interlocutory judgment or judgment by default has been or shall hereafter be entered in any of the courts of this State, whereby the right of the plaintiff is established, but the damages sustained by him are not ascertained, the judge of the court where such judgment is shall, on motion of the plaintiff, or of his attorney, and the production to him of the promissory note, bill of exchange, bond, or writing obligatory upon which the suit was brought, or upon legal and satisfactory proof of the correctness and amount of the claim where the suit was brought, to recover a debt due upon open account, assess the damages, and order the judgment to be extended for the amount so found to be due, and interest on the same till paid, and costs of suit. In all other cases in which an interlocutory judgment, or judgment by default has been, or shall hereafter be entered, the judge of the court where such judgment is shall, on motion of the plaintiff, or his attorney, make an order, in the nature of a writ of inquiry, to charge the jury in attendance in such court to inquire of the damages and costs sustained by the plaintiff in such action, which said inquiry shall be made and the evidence given in open court, in the same manner and under the same regulations as in other jury trials; and after the said jury, charged as aforesaid, shall have considered thereof, they shall forthwith return their inquisition, under their hands and seals, and

1864, c 175  
How damages  
assessed and  
judgment ex-  
tended on judg-  
ments intello-  
cutory or by  
d fault  
21 Md 552, 575,  
24 Md 538,  
29 Md 461, 466,  
29 Md 162

Other cases.

Inquisition by  
Jury