

Facilitating the obtaining of judgments. for Prince George's County arising *ex contractu* if the plaintiff, or his agent, shall file at the time of bringing his action an affidavit setting out distinctly his cause of action and the sum he claims to be due, exclusive of all set-offs of just grounds of defense, and shall serve the defendant with copies of his declaration and of said affidavit, he shall be entitled to a judgment for the amount so claimed, with interest and costs, at the succeeding term of court to the one at which the suit may be brought, unless the defendant shall file along with his plea, if in bar, an affidavit of defense denying the right of the plaintiff as to the whole or some specified part of his claim, specifically stating also, in precise and distinct terms, the grounds of his defense, which must be such as would, if true, be sufficient to defeat the plaintiff's claim in whole or in part; and where the defendant shall have acknowledged in his affidavit of defense a liability for a part of the plaintiff's claim as aforesaid, the plaintiff, if he so elect, may have judgment entered in his favor for the amount so confessed to be due.

The ground of defense.

Representatives of decedent's estate. SEC. 2. *And be it enacted*, That the provisions of this rule shall not apply to defendants who are representatives of a decedent's estate, except when the affidavit filed with the declaration sets forth that the contract sued on was directly with such representative, or that a promise to pay was made by him.

SEC. 3. *And be it enacted*, That when the defendant is a corporation, the affidavit of defense may be made by an officer, agent or attorney of such corporation.

Approved April 7, 1904.

#### CHAPTER 346.

AN ACT to repeal and re-enact with amendments Sections 1, 3, 4, 5, 6 and 7, of Chapter 293, of the Acts of the General Assembly of Maryland of 1896, and to add an additional section, to be known as Section 14, and to follow immediately after Section 13 of said Act, so as to read as follows:

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sections 1, 3, 4, 5, 6 and 7, of Chapter 293, of the Acts of the General Assembly of Maryland of 1896, be and the same are hereby repealed and re-enacted, and an additional section, to be known as Section 14, and to follow immediately after Section 13 of said Act, so as to read as follows:

Sections of Act repealed and re-enacted.