

poses of such action or proceeding, unless the fact of such partnership, incorporation or representative character, as the case may be, shall be denied in writing under oath by the opposite party before the hearing of such case or proceeding; provided, however, that in case of a corporation, the affidavit to such denial may be made by the president, vice-president, secretary or treasurer thereof, and in the case of a partnership, by any one of the partners. And whenever such denial under oath is so made, the court or justice before whom the case or proceeding is pending shall, at the request of the party against whom such denial is made, postpone or continue the same to such reasonable time as will enable such party to procure the required proof.

For a similar section applicable to cases in courts of law, see art. 75, sec. 24, sub-sec. 108.

Judgments.

1904, art. 52, sec. 32. 1888, art. 52, sec. 30. 1860, art. 51, sec. 26. 1853, ch. 201, sec. 2.

34. Justices of the peace shall enter up judgment in all cases brought or tried before them within three days after a final hearing of the case.

Ibid. sec. 33. 1888, art. 52, sec. 31. 1860, art. 51, sec. 27. 1809, ch. 153, sec. 5.

35. All judgments for the payment of money entered by a justice of the peace shall be so entered as to carry interest thereon from the date thereof.

Ibid. sec. 34. 1888, art. 52, sec. 32. 1860, art. 51, sec. 28. 1841, ch. 139. 1843, ch. 362, sec. 2.

36. If the parties appear before the justice on the return day of the summons and the justice enters judgment, either by confession of the party or after hearing and trying the case, such judgment shall be valid although the summons may be made returnable before any or some justice of the peace without naming specifically which justice.

Ibid. sec. 35. 1888, art. 52, sec. 33. 1860, art. 51, sec. 29. 1843, ch. 362, sec. 3. 1910, ch. 261 (p. 164).

37. Any justice of the peace of this State may enter a judgment by confession for any amount, within his jurisdiction, as is now or that may hereafter be prescribed by law, after the appearance of any of the parties to the cause, provided that said parties unite in a written agreement for the confession of such judgment and file same, together with a written statement of the claim upon which such judgment shall be based; and a judgment so entered shall, from the date of the entry of same, have the same effect as if the judgment had been rendered after process and trial before a justice of the peace having jurisdiction.

Ibid. sec. 36. 1888, art. 52, sec. 34. 1860, art. 51, sec. 30. 1825, ch. 158.

38. In all cases of debt tried before a justice of the peace he may enter judgment against either plaintiff or defendant for such sum as