

judgment at the term next succeeding the rule day or term to which said defendant was returned summoned, as now provided by law, subject to such rules as the court may prescribe as aforesaid.

1890, ch. 136, sec. 16G.

23. In any suit when the cause of action is a contract, whether in writing or not, or whether expressed or implied, the plaintiff, if affidavit or affirmation be made as hereinafter stated, shall be entitled to judgment, to be entered by the court or the clerk thereof on the rule day or the first day of the term next succeeding the rule day, or the term to which the defendant shall have been returned summoned, although the defendant may have pleaded, unless such plea contains a good defense, and unless the defendant or some one in his behalf shall under oath or affirmation, state that every plea so pleaded by the defendant is true, and shall further state what amount of the plaintiff's demand, if anything is admitted to be due or owing, and what amount is disputed; and if co-partnership or incorporation of any of the parties to the suit, shall be alleged in the declaration and the affidavit filed therewith and hereinafter provided, or if there shall be filed with the declaration in said cause, any paper purporting to be signed by any defendant therein, the fact of such alleged co-partnership or incorporation, and the genuineness of such signature shall be deemed to be admitted for the purposes of said cause, unless the said affidavit shall further state that the affiant knows, or has good reason to believe such allegations of co-partnership or incorporation to be untrue, or that such signature was not written by or by the authority of the person whose signature it purports to be; in case any part of the debt or damages claimed be admitted to be due, the plaintiff shall be entitled to any entry of judgment therefor as aforesaid with costs, in full discharge to the action; provided, the amount so admitted to be due shall not be below the jurisdiction of the court, or the defendant may pay such admitted part into the court, and thereupon such proceedings shall be had as are provided by law in other cases of payment of money into court; provided, that the court, for good cause shown, may, by its order in writing, passed at any time before judgment, extend the time for filing such pleas and affidavits, which extension shall suspend until the expiration thereof the plaintiff's right to enter judgment under this section; and, provided, further, that the court may, and it shall be its duty to pass such rules as may be necessary to carry out the purposes of this Act.

Farmers, &c., Bank v. Hunter, 97 Md. 149.

1890, ch. 136, sec. 16H.

24. The plaintiff shall not be entitled to judgment under the preceding sections, unless at the time of bringing his action he shall file his declaration with an affidavit or affirmation, if the affiant is conscientiously scrupulous as to taking an oath, stating the true amount the defendant is indebted to him over and above all discount, and shall also file the bond, bill of exchange, promissory note, or other writing or account by