

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 Section 36 to 47 of this subtitle of this article.

1908, ch. 682, sec. 37G (p. 860).

43. 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 discounts, and shall also file the bond, bill of exchange, promissory note or other writings or account by which the defendant is so indebted; or if the action be formed upon a verbal or implied contract, shall file a statement of the particulars of the defendant's indebtedness thereunder; if there are two or more plaintiffs, the said affidavit or affirmation may be made by any one of them, or if all the plaintiffs be absent from the State at the time of bringing such suit, or if the plaintiff be a corporation, the said affidavit or affirmation may be made by an agent of the plaintiff or plaintiffs, who will further make oath or affirmation that he has personal knowledge of the matters contained therein; and the said affidavit or affirmation may be made before any of the persons who may take an affidavit or affirmation to authorize the issuing of a foreign attachment, and may be certified in the same manner; provided, that when an executor or administrator brings an action, he shall be required to prove the death of the party whose representative he claims to be, if proofs of such death be demanded in writing, within the time required to plead; but proof of the grant of letters testamentary or of administration shall be *prima facie* evidence of such death.

1908, ch. 682, sec. 37H (p. 860).

44. On all judgments by default that shall be entered under any of the preceding sections, the court may assess the damages on the proof thereof, according to the practice of said court, without empaneling a jury to do so.

1908, ch. 682, sec. 37-I (p. 860).

45. On all judgments entered in said court under the provisions of the preceding sections, there shall be a stay of execution until the return day or the first day of the term, whichever shall first occur, next succeeding the return day or the term at which said judgments shall have been entered, with the right to the defendant to supersede the same for six