

entitled to judgment, to be entered by the court or clerk thereof, on the return day or the first day of the term next succeeding the return 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 defence, and unless the defendant, or some one in his behalf, shall, under oath or affirmation, state that every plea as pleaded by the defendant is true, and shall further state what amount of the plaintiff's demand, if any, is admitted to be due or owing, and what amount is disputed; and if the copartnership or incorporation of any of the parties to the suit shall be alleged in the declaration, and the affidavit or affirmation filed therewith as hereinafter provided, or if there shall be filed with the declaration in said causes, or at time of bringing the suit, any paper purporting to be signed by any defendant therein, the fact of such alleged copartnership or incorporation, and the genuineness of such signature, shall be deemed to be admitted for the purpose of said cause, unless the affidavit of the defendant or made in his behalf, as before provided, shall further state that the affiant knows, or has good reason to believe such allegation of copartnership 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 an entry of judgment therefor 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 sections 65 and 75 of this sub-title of this article.

1888, ch. 185.

71. The plaintiff shall not be entitled to judgment under the preceding sections, unless at the time of bringing his action he