

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 the copartnership 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 copartnership 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 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 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 purpose of this section.

Thorne v. Fox, 67 Md. 67.

1886, ch. 264.

**66.** The plaintiff shall not be entitled to judgment under the preceding section, unless at the time of bringing his action he shall file with his declaration 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 writing or account by which the defendant is