

defendant shall file a plea which if in bar is accompanied by an affidavit of defense denying the right of plaintiff as to the whole or some specified part of his claim specially stating also, in precise and distinct terms, the ground of his defense, which must be such, as would, if true, be sufficient to defeat the plaintiff's claim in whole or in part; and where the defendant shall have acknowledged in his affidavit of defense his liability for a part of the plaintiff's claim as aforesaid, the plaintiff, if he so elect may have judgment entered in his favor for the amount so confessed to be due, such judgment to be a bar to any further amount not so confessed. Any Judge of the Circuit Court is hereby authorized, either in vacation or term time to enter judgment under this section where no affidavit of defense is filed and to hear motion for judgment and to enter judgment thereon where insufficient affidavits are filed; provided, however, that should any defendant file a demurrer to any declaration filed under this Act, said demurrer must be in accordance with Section 9 of Article 75 of the Code of Public General Laws of Maryland and within twenty days after service of process under this Act, and the affidavit of defense required hereunder need not be filed until after the hearing on demurrer, and if such demurrer is overruled, said affidavit of defense shall be filed not more than twenty days after the order of Court overruling such demurrer.

Notice shall be given at the bottom of the declaration and in the summons in such cases where the plaintiff intends to claim the benefits of this section.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1941.

Approved April 23, 1941.

CHAPTER 217.

(Senate Bill 219)

AN ACT to authorize Robert F. Duer of Somerset County, Maryland, surviving Trustee of Washington Academy, to execute a deed of conveyance to the Board of Education of Somerset County for certain real estate in said Somerset County, title to which stands in the name of The Trustees of Washington Academy.