

such plea shall be verified by the oath or affirmation of the defendant, or some one in his behalf, that he is advised by counsel retained in the cause that the matter of the said plea constitutes a good defence, and that he verily believes he will be able at the trial of the cause to produce sufficient evidence in support of the said plea.

Plaintiff not entitled to call for judgment unless evidence of debt is authenticated.

SEC. 9. *Provided nevertheless: And be it enacted*, That the plaintiff shall not be entitled to call for judgment as aforesaid, unless at the time of bringing his said action he shall have filed with his declaration the paper, writing, account stated, or other evidence on which his claim is founded, authenticated in the usual manner and verified with the oath or affirmation of the plaintiff thereto annexed, that there is justly due and owing from the defendant to the plaintiff on said cause of action the sum of money in the said oath or affirmation stated to be due over and above all offsets and discounts, and that he is not aware of any just cause of defence of the said defendant against said demand.

Provisions of act to apply.

SEC. 10. *And be it enacted*, That the foregoing provisions shall apply to an action brought by or against an executor or administrator.

Executions returnable.

SEC. 11. *And be it enacted*, That writs of execution issued out of the said court may be made returnable at the election of the plaintiff to the next succeeding term or rule day of the court.

Provisions of act to extend to future actions

SEC. 12. *And be it enacted*, That the provisions of this act shall extend to actions hereafter instituted in, and writs of execution hereafter issued out of the Court of Common Pleas of Baltimore city.

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