

(Note: The provisions of this Subtitle are proposed for repeal as obsolete and redundant.)

CALVERT COUNTY HOSPITAL

5.

THE COUNTY COMMISSIONERS MAY APPROPRIATE A SUM TO BE DETERMINED BY THEM TO THE CALVERT COUNTY HOSPITAL.

(Note: The provisions of this Section are proposed for transfer from Section 175(c).)

Circuit Court

107.

[(a) In any action hereafter brought in any Circuit Court in the Seventh Judicial Circuit of Maryland arising ex contractu, if the plaintiff or his agent shall file at the time of bringing his action an affidavit setting out distinctly his cause of action and the sum he claims to be due, exclusive of all set-offs and just grounds of defense, and shall serve the defendant with copies of his declaration and of said affidavit, he shall be entitled to a judgment for the amount so claimed, with interest and costs, forty days after such service unless the 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 unless (1) the defendant files a demurrer as hereinafter provided to the declaration filed under this section, or (2) the plaintiff and defendant in a case file a written agreement with the Court stipulating that the time in which the defendant must file a plea, affidavit of defense, or demurrer be extended.

(b) If the defendant files a demurrer which is in accordance with Section 9 of Article 75 of the Annotated Code of Maryland (1939 Edition) within twenty days after service of process under this section, then the affidavit of defense required hereunder need not be filed until after the hearing on demurrer, but if such demurrer is overruled, said affidavit of defense shall be filed not more than