

dog so killed, to be paid by the owner or owners of said dog or dogs, and to be collected as other constables fees are; **Provided*,^{General proviso.} that if said dog or dogs shall have been immediately killed by the owner or owners thereof, upon complaint, information and proof of the owner or owners of said sheep, as provided in this law, then, and in that case, the owner or owners of said sheep shall not have cause of action against the owner or owners of said dog or dogs.

* This proviso is omitted in the engrossed bill, through mistake.

CHAPTER 171.

AN ACT relative to Landlords and Tenants.

See 1826, ch. 266, ante page 919.

SEC. 1. *Be it enacted, by the General Assembly of Maryland*,^{Case of rent payable in produce.} That in all cases where land shall be rented in consideration of a render of a portion of the crops raised upon the same, or for a specific amount of grain or other produce, it shall not be lawful for any sheriff or other officer by virtue of any process issued against the tenant, to sell the crop, while growing, or at any time before the same shall be divided, so as to deprive the landlord of his stipulated share of the same, or of the specific amount of grain or other produce agreed upon as rent, but the same may be sold, subject to the claim of the lessor.^{Sale of produce forbid. Without payment or notice.}

SEC. 2. *And be it enacted*, That in all cases where land shall be rented as aforesaid, if the tenant shall fail to deliver to the landlord his share of the crops or specific amount of grain or other produce, as aforesaid, according to the stipulations of the renting, it shall and may be lawful for the landlord to lay a distress for the same in manner following, that is to say: the bailiff or person authorized to levy said distress, shall summon, and cause to be sworn in manner as appraisers in cases of distress are by law to be sworn, two disinterested persons, whose duty it shall be, under the oath aforesaid, to estimate the money value of the specific amount or quantity of grain or other produce, or proportion of the crops agreed upon as rent; and thereupon the said bailiff or person aforesaid, shall proceed to levy the said distress as in ordinary cases of money rent, and taking said estimated value to be such money rent; and the said tenant shall have his election at any time before the goods and chattels and property distrained shall be sold under such distraint, to deliver the rent of grain or other produce, or proportion of crops aforesaid, to the landlord, or to pay him the said estimated value, together in both cases, with the expenses of said distraint; whereupon all proceeding in the said distraint shall cease and be at an end; *Provided however*, that nothing herein contained shall debar said tenant from any action of replevin for the goods and chattels and property distrained as^{Case of tenant failing to pay such rent. Proceedings directed. Tenant may pay in money or produce. Right of replevin.}