

as to said tenancy, and that from and after thirty days from the day of service of such notice, the tenant in cases of such tenancies shall be deemed to be holding over; and this act, and said original act shall be taken to extend to the executors and administrators of said tenant for years or for a lesser period pur autre vie or tenant at will or by sufferance, and all persons claiming said demised premises under and by virtue of said tenant for years or for a lesser period pur autre vie or tenants, at will or by sufferance, before or after such tenant's death, and the person or persons entitled to said demised premises in remainder or otherwise, after determination of the tenancy of such tenant, pur autre vie, or other tenancy in this act mentioned, shall be deemed and taken to be lessors within the provisions of this act, and of said original act, and as such to be entitled to the benefits of the same.

This act extended to executors, administrators, &c. of tenants.

SEC. 8. *And be it enacted*, That in all cases of tenancy, as herein before or by the said original act provided, if the tenant shall after notice fail to quit at the end of the term, or at the period when he shall begin as aforesaid, to be holding over, such tenant, his executors or administrators, may at the election of the lessor, his heirs, executors, administrators or assigns, be held as a tenant, and bound to pay double the rent to which the said tenancy was subject, and payable and recoverable in all respects, and to every effect as if by the original agreement, or the understanding as to such tenancy, said double rent were the reserved rent of the let or demised premises, according to the terms and conditions of payment of such originally reserved rent.

Tenants failing to quit.

Bound to pay double rent.

SEC. 9. *And be it enacted*, That no proceedings under this act, or the act to which this a supplement, had before any justices of the peace, and removed by certiorari to any court, shall by such court be reversed or set aside for matter of form, and any case thus removed by certiorari if the proceedings thereunder shall be set aside, or appear to be substantially defective shall be proceeded with, in such county court in the same manner, and to the same effect upon the claim and complaint, and merits, and upon evidence to be adduced therein as it was or might have been competent to such justices to have proceeded therewith; and the said county court shall have the same power as such justices as to the summoning and enforcing the attendance of jurors and rendition of judgments in such case; *Provided however*, that such cases may be tried by a jury from the jurors summoned for the trial of causes at the term of such court.

Proceedings before magistrates not to be set aside on appeal for want of form.

Court may amend.

Proviso.

SEC. 10. *And be it enacted*, That every case of such certiorari shall be finally determined and proceeded with at the first term, to which such case shall be removed to the said

Trial at first term.