

### Tenants Holding Over.

1904, art 53, sec. 1. 1888, art. 53, sec. 1. 1860, art. 53, sec. 1. 1793, ch. 43. 1845, ch. 209. 1874, ch. 414. 1882, ch. 355.

1. In all cases where any interest in real estate shall be let or leased for any definite term or at will, and the lessor, his heirs, executors, administrators or assigns shall desire to repossess the same after the expiration of the term for which it was demised and shall give notice in writing one month before the expiration of said term or determination of said will to the tenant or to the person actually in possession of the premises to remove from the same at the end of said term, and if the said tenant or person in actual possession shall refuse to comply therewith the lessor, his heirs, executors, administrators or assigns may make complaint thereof in writing to any justice of the peace of the county or city wherein such real estate is situate.

The complaint may be signed by counsel. Sufficiency of notice to quit; it may be signed by landlord's agent; ratification by landlord. *Benton v. Stokes*, 109 Md. 120. See also, *Cook v. Creswell*, 44 Md. 596.

Notice to quit addressed to husband instead of wife; sufficiency of service of notice. *Cook v. Creswell*, 44 Md. 596.

What the complaint must state. *Burrell v. Lamm*, 67 Md. 582.

See sec. 6.

As to the action of ejectment between landlord and tenant, see art. 75, sec. 73.

As to the right of entry and action by a purchaser of property where rent is in arrears at the time of such purchase, see art. 16, sec. 221.

As to the procedure upon the allowance of a *certiorari* for the removal of proceedings between landlord and tenant before a justice of the peace, see art. 75, sec. 57.

*Ibid.* sec. 2. 1888, art. 53, sec. 2. 1860, art. 53, sec. 3. 1809, ch. 355.

2. The said justice shall forthwith issue his summons to the tenant or person in possession that he be and appear on a day in said summons mentioned before said justice to show cause (if any he have) why restitution of the possession of the said estate so demised should not be forthwith made to such lessor, his heirs, executors, administrators or assigns.

On the landlord's appeal, the appellate court has no jurisdiction unless the tenant is summoned. *Mears v. Remare*, 33 Md. 246.

*Ibid.* sec. 3. 1888, art. 53, sec. 3. 1882, ch. 355.

3. Upon the failure of either of the parties to appear before him on the day in such summons mentioned the said justice shall continue the case to a day not less than six nor more than ten days after said day so first named and notify the parties of such continuance.

*Ibid.* sec. 4. 1888, art. 53, sec. 4. 1860, art. 53, sec. 4. 1882, ch. 355. 1886, ch. 470. 1890, ch. 626.

4. If upon hearing the said parties, or in case the tenant or person in possession shall neglect to appear after the summons and continuance as aforesaid, proof thereof being made, it shall appear to the justice and be by him so found that the said lessor had been in possession of the said premises so leased or demised, that the said lease or