

1904, art. 53, sec. 14. 1888, art. 53, sec. 14. 1860, art. 53, sec. 14. 1821, ch. 162.

14. In all cases of distress for rent the tenant shall be liable to the landlord for costs.

Ibid. sec. 15. 1888, art. 53, sec. 15. 1860, art. 53, sec. 15.
1842, ch. 208, sec. 1.

15. Landlords who may have the right of distress may exercise that right as well in cases where security has been given to them as where no security has been given.

The taking of a note for rent, even though it is discounted, does not forfeit, but only suspends, the remedy by distress, provided the landlord has the note to surrender at the proper time. *Giles v. Ellsworth*, 10 Md. 344.

Ibid. sec. 16. 1888, art. 53, sec. 16. 1860, art. 53, sec. 16.
1834, ch. 192, sec. 5.

16. Every distress for rent which shall be made contrary to the provisions of this article and all sales made under and by virtue of such distress shall be absolutely illegal and void.

A constable who sells property under a void distress is liable as a trespasser, but his official bond is not liable. *State v. Timmons*, 90 Md. 10.

Where the account fails to show against whom it is made out, the distress is void. *Joynes v. Wartman*, 5 Md. 197.

See notes to sec. 8.

Ibid. sec. 17. 1888, art. 53, sec. 17. 1860, art. 53, sec. 17. 1813, ch. 135.
1816, ch. 210, sec. 1. 1823, ch. 151. 1834, ch. 180, sec. 1.
1868, ch. 173. 1870, ch. 169. 1884, ch. 310.
1904, ch. 568. 1908, ch. 93.

17. The following property shall be exempt from distress for rent, to wit: Every spinning-wheel, loom, sewing-machine, typewriter, stove, cash register, piano, organ or other musical instrument not the property of the tenant or rented, hired or loaned to the tenant; and every horse, carriage and harness, whip and robe, saddle and bridle, or motor vehicle and appurtenances not the property of the tenant, in livery stable or garage, or which may be stored with any keeper of any livery stable or garage or other persons, or in any other place, outhouse or barn of the tenant; and all property of any boarder or sojourner at any hotel, tavern, public or private boarding house; and any vehicle not the property of the tenant in any shop for repair; and the goods and chattels of the innocent tenant who has paid his rent to the owner of the leasehold estate shall be exempt from distraint for ground rent if any due and owing to the ground rent landlord by the owner of the leasehold estate.

Any goods on the leased premises not exempt, are liable to distraint. *Giles v. Ebsworth*, 10 Md. 344; *Schwartz v. Gottlieb, etc., Brewing Co.*, 109 Md. 399; *Kennedy v. Lange*, 50 Md. 94.

The provision of the state constitution, article 3, section 43, exempting property of a wife from being taken for the debts of her husband, has no application to property of a married woman (whether the wife of the tenant or of a stranger), on the demised premises. *Kennedy v. Lange*, 50 Md. 94; *Emig v. Cunningham*, 62 Md. 460.

The clause exempting "property of any boarder or sojourner," refers to property used by the boarder or his family, and not to his property in the general use of the tenant. *Leitch v. Owings*, 34 Md. 263.