

the heirs, executors, administrators or assigns of the owner of such estate, as the case may be. In case of removal of such proceedings under a writ of *certiorari*, a sufficient record thereof shall be the original papers with a copy of the judgment and entries by the justice under his hand and seal. This section, so far as the same relates to notices, shall not apply to Baltimore city.

Forcible entry and detainer; no notice to quit necessary; writ of *certiorari*. *Roth v. State*, 89 Md. 528. *Clark v. Vannort*, 78 Md. 221. See also *Rawlings v. Rawlings*, 3 H. & McH. 438.

As to juries in cases of forcible entry and detainer, see art. 51, sec. 21.

As to the procedure upon the allowance of *certiorari* for removal of proceedings between landlord and tenant before justice of the peace, see art. 75, sec. 61.

See notes to sec. 1.

An. Code, sec. 7. 1904, sec. 7. 1888, sec. 7. 1845, ch. 209, sec. 2.

8. When the tenant shall give notice by parol to the landlord or to his agent or representatives, at least one month before the expiration of the lease or tenancy in all cases except in cases of tenancies from year to year, and at least six months' notice in all cases of tenancy from year to year in the counties, of the intention of such tenant to remove at the end of that year and to surrender possession of the tenement at that time, and the landlord, his agent or representative shall prove said notice from the tenant by legal and competent testimony, it shall not be necessary for the said landlord, his agent or representative to prove a written notice to the tenant, but the proof of such notice from the tenant as aforesaid shall entitle his landlord to recover possession of said tenement under the provisions of this article. This section shall not apply to Baltimore city.

#### **Distress for Rent.**

An. Code, sec. 8. 1904, sec. 8. 1888, sec. 8. 1834, ch. 192, sec. 1. 1842, ch. 208, sec. 1. 1904, ch. 575.

9. Every landlord, or his agent, who may be authorized to distrain for rent due him, shall, previous to making such distress, make oath before any officer of the county or State where the landlord or agent may reside, who is qualified by law to administer oaths or affidavits, or in case said landlord or his agent reside beyond the State of Maryland, such oath may be taken before any officer qualified to administer an oath in the State or district where the said landlord or his agent may reside, that his tenant is justly and *bona fide* indebted to him in the sum of \_\_\_\_\_ dollars and \_\_\_\_\_ cents, specifying the amount which the said landlord may claim to be due him in dollars and cents, where the distress is for a certain money rent, or that he is justly and *bona fide* entitled to the quantity and proportion of the produce claimed by the said landlord, when the distress is for grain or produce, for rent in arrear and already due him, the said landlord; and that he, the said landlord, has not received, directly or indirectly, any part or parcel of said rent claimed to be due and in arrear, except, however, the credits, given to the best of his knowledge and belief, and any distraint warrant made and sworn to as aforesaid by any agent of any