

An. Code, sec. 11. 1904, sec. 11. 1888, sec. 11. 1831, ch. 171, sec. 2.

12. Where the distress is for grain or produce, the bailiff or person authorized to levy said distress shall summon and cause to be sworn two disinterested persons, whose duty it shall be, under the said oath, 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 bailiff or person aforesaid shall proceed to levy the said distress as in ordinary cases of money rent, taking such estimated value to be such money rent.

An. Code, sec. 12. 1904, sec. 12. 1888, sec. 12. 1831, ch. 171, sec. 2.

13. The tenant whose goods are distrained under the preceding section shall have his election at any time before the goods, chattels and property distrained shall be sold under such distress to deliver the rent of grain or other produce or proportion of crops to the landlord, or to pay him the estimated value, together in both cases with the expenses of said distress; whereupon all proceedings in the said distress shall cease. But nothing herein contained shall debar said tenant from any action of replevin for the goods and chattels and property distrained as aforesaid wherein it shall be lawful for the tenant to contest the fairness of such valuation; and the said action shall in all respects be proceeded with and the same verdict shall be rendered as in cases of replevin of goods and chattels for money rent, the jury assuming the estimated value, or what in their judgment the estimated value should have been, to be such money rent.

As to replevin, see art. 52, sec. 53, *et seq.*, and art. 75, sec. 125, *et seq.*

An. Code, sec. 13. 1904, sec. 13. 1888, sec. 13. 1834, ch. 192, sec. 4.

14. No sheriff, constable or bailiff in cases of distress for rent shall summon more than two appraisers of property distrained, and the compensation of the appraisers shall be thirty cents each, to be recovered and paid as other costs in such cases.

Appraisers must be indifferent persons and reasonably competent, but need not be experts. *Cahill v. Lee*, 55 Md. 326.

An. Code, sec. 14. 1904, sec. 14. 1888, sec. 14. 1821, ch. 162.

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

An. Code, sec. 15. 1904, sec. 15. 1888, sec. 15. 1842, ch. 208, sec. 1.

16. 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, remedy by distress, provided landlord has note to surrender at proper time. *Giles v. Ellsworth*, 10 Md. 344.