

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. 55, *et seq.*, and art. 75, sec. 125, *et seq.*

An. Code, 1924, sec. 14. 1912, 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.

Cited in *In Re Noble*, 6 F. Supp. 733.

An. Code, 1924, sec. 15. 1912, 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, 1924, sec. 16. 1912, 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.

An. Code, 1924, sec. 17. 1912, sec. 16. 1904, sec. 16. 1888, sec. 16. 1834, ch. 192, sec. 5.

17. 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. 9.

An. Code, 1924, sec. 18. 1912, sec. 17. 1904, sec. 17. 1888, 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. 1927, ch. 699.

1929, ch. 148. 1931, ch. 326. 1933, ch. 527. 1935, ch. 206.

18. The following property shall be exempt from distress for rent when not the property of the tenant: Every horse, carriage and harness, whip and robe, saddle and bridle, or motor vehicle and appurtenances, in any livery stable or garage 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 or other personal property in any shop for repair. The following property shall be exempt from distress for rent when not the property of the tenant and which is plainly marked or tagged, stating the name of the owner of said articles: Every spinning wheel, loom, sewing machine, typewriter, stove, cash register, piano, organ or other musical instrument, radio receiving sets, telephone instruments, telephone booths and other telephone equipment, ice beverage chests, ice water coolers, ice refrigerators and ice display cases, mechanically operated freezing units for ice cream, and cooling units for soft drinks and water, gasoline tanks, gasoline pumps and oil