

Where a party applies for the benefit of our insolvent laws, his property is thereafter *in custodia legis*, and not liable to distraint for rent due at time of application. *Buckey v. Snouffer*, 10 Md. 149; *Fox v. Merfeld*, 81 Md. 80.

As to exemptions from execution, see art. 83, sec. 8, *et seq.*

1929, ch. 321.

19. Whenever goods, wares, chattels or merchandise shall have been levied upon under a Warrant of Distraint by any landlord or his agent or bailiff in accordance with the provisions of this Article it shall be unlawful for the tenant or tenants in and upon said premises or any other person or persons other than the landlord distraining or his agent or bailiff, to remove any of said goods, wares, chattels or merchandise so distrained without the written consent of the said landlord, his agent or bailiff; and any such tenant or tenants, person or persons so unlawfully removing any such goods, wares, chattels, or merchandise under distraint, without such written permission as aforesaid, shall be guilty of a misdemeanor, and shall be punishable by a fine of not less than \$50.00 nor more than \$500.00, or by imprisonment of not less than thirty days or more than three months or both at the discretion of the Court.

An. Code, 1924, sec. 19. 1924, sec. 18. 1904, sec. 18. 1888, sec. 18. 1826, ch. 266.
1842, ch. 208, sec. 2.

20. Whenever property shall be removed from premises which have been rented within sixty days prior or subsequent to the time when the rent has or will become due, and whether such removal be by night or day it shall be lawful for the landlord to follow, seize and sell such property under distress for the rent due at any time within sixty days after the time when the rent becomes due; provided, that such property shall not have been sold to a *bona fide* purchaser without notice or taken in execution.

This section referred to in construing sec. 18. *Mears v. Perine*, 156 Md. 63.

See notes to sec. 23.

In order that landlord may proceed under this section, the rent must be actually due and property must have belonged to tenant at time of its removal. *Gaither v. Stockbridge*, 67 Md. 228.

A landlord may distraint under this section though the goods have been removed by a trustee for benefit of creditors, since latter is not a *bona fide* purchaser. *Burnett v. Bealmear*, 79 Md. 38.

A distraint under this section may be levied though lease is ended and tenant no longer in possession of demised premises. *Dorsey v. Hays*, 7 H. & J. 370.

Goods which have passed into hands of an insolvent trustee cannot be reached under this section by distraint for rent due at time of application in insolvency. *Fox v. Merfeld*, 81 Md. 82.

Act of 1826, ch. 266, relates to removal of property "by the tenant or by his order and direction," declaring certain removals to be clandestine, and does not affect title of insolvent trustee. *Buckey v. Snouffer*, 10 Md. 156.

Where goods are taken from premises by sheriff on a writ of attachment, landlord cannot follow them by a distraint for rent falling due after attachment. *White v. Hoeninghaus*, 74 Md. 127.

An. Code, 1924, sec. 20. 1912, sec. 19. 1904, sec. 19. 1888, sec. 19. 1849, ch. 118, sec. 1.

21. The rents of real estate of minors or of leasehold estates that may not be due at the death of such minor shall for the year in which such minor may die be paid to the guardian, who may maintain distress or suit to recover such rent.

See art. 93, sec. 171.

An. Code, 1924, sec. 21. 1912, sec. 20. 1904, sec. 20. 1888, sec. 20. 1849, ch. 118, sec. 2.

22. If such guardian dies before the recovery of said rent the executor or administrator of such guardian may recover the same by distress or suit.