

such judgment shall have all the effect and incidents of other judgments at law; in case there shall be no agreement with regard to costs, they shall be governed by the law applying to costs in other actions at law.

Certiorari.

P. G. L., (1860,) art. 75, sec. 61. 1816, ch. 187. 1822, ch. 131.

55. Upon the allowance of any writ of *certiorari* for the removal of the proceedings by a justice of the peace between landlords and tenants, and also in all cases of inquest for a forcible entry and detainer, or a forcible detainer, the party obtaining the said writ of *certiorari* shall give bond with security to the opposite party, to be approved by the judge or clerk of the court allowing the writ, in such penalty as the said judge or clerk shall direct, conditioned for the payment of all costs and damages that may be incurred or suffered by the delay of the proceedings, if the matter in controversy upon such writ shall be decided against the person obtaining the same.

Proprietary v. Brown, 1 H. & McH. 428. *Rawlings v. Rawlings*, 3 H. & McH. 438. *State v. Duvall*, 4 H. & McH. 4.

Continuance.

P. G. L., (1860,) art. 75, sec. 34. 1787, ch. 9, sec. 1. 1806, ch. 41, sec. 1. 1829, ch. 166.

56. No cause shall be continued beyond the second term after process has been served on the defendant, unless by consent of parties, or upon good cause shown by the party asking the continuance.

Briscoe v. Ward, 1 H. & J. 165. *Norwood v. Owings*, 1 H. & J. 296. *Ridgely v. Campbell*, 1 H. & J. 452. *Dyson v. West*, 1 H. & J. 567. *Harper v. Hampton*, 1 H. & J. 622. *Kent v. McElderry*, 9 Gill, 495. *Marsh v. Johns*, 49 Md. 570.

Ibid. sec. 35. 1787, ch. 9, secs. 2, 3, 8.

57. Upon suggestion, supported by the affidavit of the party or some other credible person, that the evidence of a witness who resides in some place beyond the limits of this State, or the evidence of a witness residing within this State, is wanting, the court shall continue the cause for such time as may be deemed necessary to enable the party to procure the attendance or obtain the testimony of such absent witness; provided, the party apply-