

that the said lease or estate is fully ended and expired, that due notice to quit as aforesaid had been given to said tenant or person in possession, and that he had refused so to do, the justice shall thereupon give judgment for the restitution of the possession of said premises and shall forthwith issue his warrant to the sheriff commanding him forthwith to deliver to the lessor, his heirs, executors, administrators or assigns, possession thereof in as full and ample manner as the lessor was possessed of the same at the time when the leasing or letting was made, and shall give judgment for costs against the tenant or person in possession so holding over; any tenant who shall feel himself aggrieved by such judgment of said justice, shall have the right of appeal therefrom to the circuit court for the county, or the Baltimore city court, upon giving notice of his desire so to appeal within ten days from the rendition of said judgment; and if said defendant shall file with said justice, to be by him transmitted with the papers in said case to said court, a good and sufficient bond, with one or more securities, conditioned that he will prosecute said appeal and well and truly pay all rent in arrear, and all rent which shall accrue pending the determination of said appeal, then the tenant or person in possession of said premises may retain possession thereof until the determination of said appeal; and in case the judgment of said justice shall be affirmed, a warrant as aforesaid, shall be issued to the sheriff by the court so determining the same, who shall proceed forthwith to execute the same; if the judgment of the justice shall be against the lessor he shall have the right of appeal at any time within ten days after said judgment shall have been rendered, and the court to which such appeal is taken shall review said cause and render such judgment as the justice ought to have rendered; and if the judgment of said court shall be in favor of the lessor, it shall issue a warrant to the sheriff for the restitution of the possession of said premises as hereinbefore provided.

*Mears v. Remare*, 33 Md. 246. *Burrell v. Lamm*, 67 Md. 582.

P. G L., (1860,) art. 53, sec. 5. 1882, ch. 355.

5. If the tenant or person in possession shall allege that the title to the premises so leased or demised is disputed and