

SEC. 638. *And be it enacted*, That in case judgment shall be given in favor of said lessor in the manner aforesaid, and the tenant shall fail to comply with the requirements of the said order within two days aforesaid, the said justice of the peace shall on or at any time after the expiration of said two days issue his warrant, directed to any constable of the city of Baltimore that the lessor may elect, ordering him to cause said lessor to have again and re-possess said premises by putting him (or his duly qualified agent or attorney for his benefit) in possession thereof, and for that purpose to remove from said premises, by force if necessary, all the furniture, implements, tools, goods, effects or other chattels of every description whatsoever belonging to said tenant, or to any person claiming or holding by or under said tenant.

To repossess.

SEC. 639. *And be it enacted*, That the tenant may appeal from the judgment of the justice of the peace to the Baltimore city court, at any time within two days from the rendition of such judgment; the tenant in order to stay any execution of the judgment, shall give a bond to the landlord with one or more securities, who are owners of sufficient leasehold or real estate in Baltimore city, with condition to prosecute the appeal with effect, and answer to the landlord, his executors, administrators, in all costs and damages mentioned in the judgment, and such other damages as shall be incurred and sustained by reason of said appeal; the aforesaid bond shall not effect in any manner whatever the right of the lessor to proceed against said tenant, assignee or under tenant for any and all rents that may become due and payable to the lessor after the rendition of said judgment.

Appeal

SEC. 640. *And be it enacted*, That the fee and charges of the justice of the peace and constables under this act shall be the following and no other: "first cost," to the justice of the peace for preparing the written complaint and taking the affidavit of the plaintiff thereto twenty-five cents, and for issuing the summons to the tenant and preparing attested copy twenty-five cents; "second costs," for every judgment rendered where there is no trial twenty-five cents, for every judgment rendered on trial fifty cents, and ten cents additional for every witness sworn or examined; "third costs," for preparing and taking the bond of tenant in case of appeal twenty-five cents, for the warrant for re-entry (in case it be issued) twenty-five cents; "first cost," to the constable for serving the summons forty cents; "second cost," for executing the warrant for re-entry one dollar; and any justice of the peace or constable who shall charge or receive more than the actual fees prescribed for each specific act performed as the case proceeds shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to and pay a fine or penalty of not less than one hundred dollars or more than three hundred

Fees.