

cause (if any he have) why restitution of the possession of the said estate so demised should not be forthwith made to such lessor, his heirs, executors, administrators or assigns.

3. Continuance on failure of either party to appear.

Upon the failure of either of the parties to appear before [him] *the court* on the day in such summons mentioned the [said justice] *court* shall continue the case to a day not less than six nor more than ten days after said day so first named and notify the parties of such continuance.

4. Judgment and appeal.

If upon hearing the said parties, or in case the tenant or person in possession shall neglect to appear after the summons and continuance as aforesaid, proof thereof being made, [it shall appear to the justice and be by him so found] *the court finds* that the said lessor had been in possession of the said premises so leased or demised, 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] *court* shall thereupon give judgment for the restitution of the possession of said premises and shall forthwith issue [his] *its* warrant to the sheriff or a constable in the respective counties and to a constable in Baltimore City 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] *the court* [shall have the right of] *may* 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] ~~20~~ days from the rendition of said judgment; and if said defendant shall file with [said justice] *the court*, to be by [him] *it* transmitted with the papers in said case to [said court] *the appellate court*, an affidavit made by the person so appealing [before said justice, or] before some officer empowered by law to take acknowledgments of deeds, that said appeal is not taken for delay, and also a good and sufficient bond with one or more securities conditioned that he will prosecute said appeal with effect and well and truly pay all rent in arrear and all costs in said case before the [justice of the peace] *District Court* and in the appellate court and all loss or damage which the landlord or lessor, his heirs, personal representatives or assigns may suffer by reason of said tenant's holding over, including the value of said premises during the time he shall so hold over, 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] *the District Court* shall be affirmed, a warrant as aforesaid shall be issued to the sheriff by the court so determining the same, who shall proceed forthwith or execute the same; if the judgment of the [justice] *District Court* shall be against the lessor he shall have the right of appeal at any time within [ten] ~~20~~ 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] *District Court* ought to have rendered; and if the judgment of [said] *the appellate court* shall be in favor of the lessor, it shall