

SECTION [15] 3. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved April 26, 1973.

 CHAPTER 67
 (Senate Bill 432)

AN ACT to repeal §145A of Article 26 of the Annotated Code of Maryland (1966 Replacement Volume and 1972 Interim Supplement), title "Courts", subtitle "District Courts", and to repeal and re-enact, with amendments, §§150(b) and 156(c) of said article, title, and subtitle, to eliminate unnecessary duplication and to correct certain statutory cross-references and errors in spelling and style.

WHEREAS, Chapter 349, Laws of 1972, enacted a comprehensive revision of the real property laws of the State, including new Article 21, §14-109, which duplicates Article 26, §145A, and new Article 21, §§4-202(d), 8-402(b) (2), 8-331(a) and 8-401(c), which replace former Article 21, §72 and former Article 53, §§4, 39, and 39R, respectively, and it is desirable to eliminate the duplication and correct cross-references, as well as to correct certain errors in spelling and style.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That §145A of Article 26 of the Annotated Code of Maryland (1966 Replacement Volume and 1972 Interim Supplement), title "Courts", subtitle "District Courts", be and it is hereby repealed.

[145A.

(a) If a grantor of land remains in possession after delivery of a deed for the land, and in violation of a written agreement to deliver possession of the land at a time stated in the agreement, the grantee may file a statement of claim in the District Court sitting in the county in which the land is located. The procedure following the filing of a statement of claim shall be that provided for other civil cases by the Maryland District Rules. If the court finds that the facts set forth in the statement of claim are true, it shall give judgment for immediate possession and shall issue a warrant to the sheriff commanding him to deliver possession of the premises to the grantee, the provisions of any public general or local law to the contrary notwithstanding.

(b) A grantor or grantee aggrieved by a judgment rendered under the provisions of this section may appeal pursuant to §156 of this article, but the appeal shall be taken within ten (10) days of final disposition in the District Court. If the grantor appeals, his notice of appeal shall be accompanied by a bond in the amount fixed by the District Court judge, conditioned that he will prosecute the appeal with effect, will pay all costs in the District Court and in the appellate court, and will pay all loss or damage the grantee may suffer by reason of the grantor remaining in possession of the premises. Upon noting the appeal and filing the bond, the grantor may retain possession of the premises pending determination of the appeal.