

vent, grantor or mortgagor by title subsequent to the date of the judgment and decree, insolvent proceedings, deed of trust or mortgage respectively, or any person claiming under the devisor of said will shall be in actual possession of the lands and tenements sold, and shall fail or refuse to deliver possession of the same to the purchaser thereof, excepting, however, case of tenancies created in the lifetime of the devisor, which shall be fulfilled as now allowed by law, the Judge of the Circuit Court for the county in which said lands or tenements may be situate, or if situate in the city of Baltimore, the Judge of the Circuit Court, the Superior Court, the Court of Common Pleas or the Baltimore City Court, shall, on application in writing, to be verified by the affidavit of the purchaser or his attorney, unless good cause to the contrary be shown by the party or parties in actual possession as aforesaid, his or their agents, or attorneys or other persons concerned, within not less than fifteen days or more than thirty days from the filing of such application as aforesaid, issue a writ in the nature of a writ of *habere facias possessionem*, reciting therein the proceedings which may have been had in said process, thereby commanding the sheriff of the county, coroner or elisor to deliver possession of the said lands and tenements to the purchaser thereof, and in cases of sales made by virtue of power contained in wills, the Judge shall grant such writs if it appear on such application that the contract of tenancy entered into between the devisor and tenant in possession has expired, and in cases where the purchaser has entered into an agreement with the person in actual possession of such land and tenements at the time of such sale to permit such person to remain in possession for a limited period, the Judge shall grant the said writ if it appears in said application that the period limited by such agreement between the purchaser and the person in possession has expired and should the party or parties so evicted by writ of *habere* as aforesaid re-enter upon said property or any part of the same without the consent of the purchaser, he or they shall be deemed guilty of a misdemeanor, and upon conviction thereof, either before a Justice of the Peace or in the Circuit Court of any county for the State, or the Criminal Court of Baltimore city, he shall be fined