

of the formation of Garrett county, and in which title to land, now situated in said Garrett county, was in controversy, and which are now pending, or in which judgment has been entered, it shall be lawful, for the said Circuit Court for Allegany county, to proceed to final judgment and execution thereof, and in all such cases still pending and in all other cases, in which a warrant of resurvey may be necessary or proper they may issue warrants of resurvey to the sheriff and surveyor of Garrett county, who shall execute the same as if issued by the Circuit Court of Garrett county, and make return thereof to the said Circuit Court for Allegany county, and in all such cases whether judgment has been heretofore rendered or shall be hereafter, it shall be lawful for said Circuit Court to issue writs of *habere facias possessionem* to the Sheriff of Garrett county, to put the party, in whose favor such judgment was rendered, in possession of the land; and also writs of *fieri facias* for costs; which said writs shall be executed by the Sheriff of Garrett county, in the same manner as if issued from the Circuit Court for said Garrett county; provided however, that in all such cases which have not yet come to trial, or in which final judgment has not been entered, and in which the defendant or defendants are residents in Garrett county, and in which the plaintiffs or defendants, or any of them desire that the same shall be transferred to the Circuit Court for Garrett county for trial, said plaintiff or defendants or any of them may apply to the court, by motion or petition, to have the same so transferred, and on such application the Circuit Court for Allegany county shall order the record of proceedings in such case to be transmitted to the Circuit Court for Garrett county, which shall have full power and jurisdiction over the same as if such case had been originally commenced therein, and in case of each removal the costs accrued previous thereto shall be in the discretion of the court.

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Proviso

SEC. 2. *And be it further enacted,* That in all cases in equity, which were so commenced and preceded as aforesaid, either in the Circuit Court as a Court of Equity, or in the Orphans' Court of said county, at the time of the formation of said Garrett county, and in which the object was to procure a decree for the sale or partition of land or for the protection of land by injunction, or in any case where the title to land

Cases in equity