

is to be affected, or any lien thereon to be enforced or established which lies in what is now Garrett county, the said Circuit Court for Allegany county shall have full power to proceed to final decree, and execution of its orders and decrees in every respect as if no decision of Allegany county had been made.

Personal actions.

SEC. 3. *And be it further enacted,* That in all personal actions, commenced before such division and now pending in the said Circuit Court for Allegany county, either *ex-contractee* or *ex-delicto*, whether original therein or whether upon appeal from justices of the peace, and wherein the defendants or a majority of them, or in case of appeal the defendant below is or are resident of that portion of Allegany county, which is now Garrett county, the said Circuit Court for Allegany county shall, upon application of said defendants or any one of them, cause the record of proceedings in said case to be transmitted to the Circuit Court for Garrett county, which shall have full power and jurisdiction to hear and determine said case in the same, and in as full and ample a manner as if such causes had originated therein, or in appeal cases as if such appeal had been taken direct to said Circuit Court for Garrett county; if no such application for removal is made by the defendant, the Circuit Court for Allegany county shall have jurisdiction to proceed to judgment and execution thereon according to law.

Cause the record to be transmitted

Declared valid.

SEC. 4. *And be it further enacted,* That all proceedings which have heretofore been had and done in and by the Circuit Court for Allegany county, in every case mentioned in the first, second and third sections of this act, since the formation of the said Garrett county, are hereby made and declared as valid as if no division of said Allegany county had taken place, and in all such cases still pending, and which shall not be removed as herein provided, and in which warrants of resurvey have been issued to the Sheriff and Surveyor of Allegany county, or in which any other process has been issued to them or either of them, it shall be their duty to execute such warrant of resurvey or other process as if the same were to be executed in Allegany county, and in all such cases where a warrant of resurvey or other process shall be issued under this act, by the Circuit Court of Al-

Duty to execute