

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 of 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 plaintiffs 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 such removal, the costs accrued previous thereto shall be in the discretion of the Court.

P. L. L. (1888), art. 1, sec. 27. 1874, ch. 262.

69. In all cases which were so commenced and proceeded in as aforesaid, in the Circuit Court for Allegany County as a court of equity, at the time of the formation of 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 is to be affected, or any lien to be enforced or established upon land 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 division of Allegany County had been made.

P. L. L. (1888), art. 1, sec. 28. 1874, ch. 262.

70. In all personal actions commenced before such division and now pending in the Circuit Court for Allegany County, either *ex contractu* 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 or defendants below is or are resident of that portion of Allegany County which is now Garrett County, the Circuit Court for Allegany County shall, upon application of said defendants or any one of them, cause the record of proceedings in said cases to be transmitted to the Circuit Court for Garrett County, which shall have full power and jurisdiction to hear and determine said cases in the same, and in as full and ample a manner as if they 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 be made by the defendant, the Circuit Court for Allegany County shall have jurisdiction to proceed to judgment and execution thereon according to law.

P. L. L. (1888), art. 1, sec. 29. 1874, ch. 262.

71. All proceedings which have heretofore been had and done in and by the Circuit Court for Allegany County, in every case mentioned in the three preceding sections, since the formation of Garrett County, are hereby made and declared as valid as if no division of Allegany County