

Under this section and sec. 210, the circuit court for Anne Arundel County has jurisdiction to issue an injunction to restrain a nuisance or threatened nuisance (garbage reduction plant) affecting property in that county, though the defendants are non-residents of the county. *Baltimore City v. Sackett*, 135 Md. 61.

The circuit court for Baltimore county has no jurisdiction to restrain the inspection of milk in Baltimore City. *Baltimore v. Gamble*, 132 Md. 474.

This section referred to in deciding that circuit courts cannot grant injunctions to operate beyond the territory over which their respective jurisdictions extend. *Graham v. Harford County*, 87 Md. 326.

This section referred to in holding that suit against Secretary of State to prevent void referendum election was not confined to county of his official residence; suit was also against supervisors of elections of Baltimore City, and as defendants were proceeded against jointly, the venue of the suit had to be outside of the jurisdiction of one of the parties. *Sun Cab Co. v. Cloud*, 162 Md. 419.

Cited in *Evans v. Zouck*, 172 Md. 17.

An. Code, 1924, sec. 90. 1912, sec. 87. 1904, sec. 83. 1888, sec. 72. 1852, ch. 16, sec. 5. 1870, ch. 450, sec. 1.

**95.** Whenever lands lie partly in one county and partly in another, or partly in a county and partly in the city of Baltimore, or whenever persons proper to be made defendants to proceedings in chancery reside, some in one county and some in another, or some in a county and some in the city of Baltimore, that court shall have jurisdiction in which proceedings shall have been first commenced; provided, that all proceedings for any partition of real estate, to foreclose mortgages on land, or to sell lands under a mortgage, or to enforce any charge or lien on the same shall be instituted in the court of the county or the city of Baltimore where such lands lie; or if the lands lie partly in one county and partly in another, or partly in one county and partly in the city of Baltimore, then such proceedings may be commenced in either county or in the city of Baltimore; provided, that in case of any sale of land under a decree of a court in any county where part only of the lands lie, a copy of the bill, decree, and trustee's report of sale, and in case of partition of real estate, a copy of the bill and the final decree of partition, certified under the official seal by the clerk of the court in which the proceedings were commenced, shall be filed in the clerk's office of the court of the county, or of the city of Baltimore, where any other part of such lands shall lie; and on receipt of such copies by the clerk of such court, it shall be his duty forthwith to docket and index the said bill and other proceedings in his chancery docket, and to record the same as though said cause had originated in his court. When the defendants, or any of them, reside in a different county from that in which the land lies which is to be affected by a suit, the circuit court for the county (or Baltimore City) where the land or any part thereof lies shall alone have jurisdiction; and process may be sent to the county or counties wherein the defendants respectively reside, to be served by the sheriff of such county or counties upon the defendants named therein, and returnable as directed in the summons.

This section means that if all the lands to be affected by the suit are not situated in one county or in the city of Baltimore, or some of them are in one county and some in one or more of the other counties, or some in the city of Baltimore and some in one or more of the other counties, the proceedings may be commenced in either county or in the city of Baltimore where any part of the land is situated. Purpose of this section. *Roessner v. Mitchell*, 122 Md. 463.

This section does not oust the orphans' court of its jurisdiction under art. 93, sec. 304, to order the sale of a decedent's real estate, the appraised value of which is not more than \$2,500, and this is true although the real estate is situated in a county other than that in which the estate is administered. Meaning of the word "charge" as used in this section. *Cain v. Miller*, 117 Md. 48. Cf. *Abramson v. Horner*, 115 Md. 246.

A bill to set aside a deed on the ground that it is in fraud of creditors is properly filed under this section in the county where the land lies. *Abramson v. Horner*, 115 Md. 246.