

clerk or register, when required, to exhibit to the court his dockets, records and fee books, and the measure of damages shall be the sum or sums he has charged for services he has not performed, unless special damage has been suffered by some person, and if so the jury shall in addition allow for such special damage.

REMOVAL OF CAUSES.

71. In all suits or actions at law, issues from the Orphans' Court, or any court sitting in equity in petitions for freedom, and in all presentments and indictments instituted in any of the Courts of Law of this State, the judge thereof, upon suggestion in writing if made by the State's Attorney or the prosecutor for the State, or upon suggestion in writing, supported by affidavit made by any of the parties thereto, or other proper evidence that a fair and impartial trial cannot be had in the court where such suit or action at law, issues, petition or presentment and indictment is pending, shall order and direct the record of proceedings therein to be transmitted to the court of any adjoining county, whether such adjoining county be within the judicial circuit or not, for trial, which court shall hear and determine the same in like manner as if it had been originally instituted therein.

72. Such suggestion shall be made before or during the term in which the issue or issues may be joined in said suit or action, issues or petition, presentment or indictment, unless the party applying for such removal shall, in addition to such affidavit, further state he had come to such belief, or had been convinced of that fact since the issues had been made up; on which additional statement being made and filed, the cause shall be removed, notwithstanding the issues had been made up.

73. When any suit or action, issues, petition, presentment or indictment shall be removed to an adjoining county according to the provisions of the two last preceding actions, it shall be lawful for the party at whose instance the same was not removed, if he shall think that justice cannot be done him in the county to which the cause has been removed, to file an affidavit as before required in the court to which the removal is ordered, suggesting that he cannot have justice in such county, whereupon the said court shall remove said cause to such adjoining county as the said court shall think will best tend to justice between the parties thereto.