

*State v. Manly*, 1 Md. 141. *Cf. Stewart v. State*, 1 Md. 129; *Biscoe v. State*, 68 Md. 294.

Purpose of this section; it has been liberally construed. *Hayer v. Colton*, 43 Md. 422; *Cooke v. Cooke*, 41 Md. 368; *Price v. Nesbitt*, 29 Md. 266; *Gardner v. State*, 25 Md. 152; *Griffin v. Leslie*, 20 Md. 18.

As to the removal of a case from a state court to a United States court, see *Adams Express Co v. Trego*, 35 Md. 47 and note (*b*).

For a note reviewing the authorities on the removal of cases, see *Wright v. Hamner*, 5 Md. 370.

For a case dealing with this section as it stood prior to the act of 1874, ch. 364, and now apparently inapplicable by reason of said act, see *Kimball v. Harman*, 34 Md. 401.

For cases construing this section as it stood prior to the acts of 1874, ch. 364, and 1868, ch. 180, see *Trayhern v. Hamill*, 53 Md. 91; *Gardner v. State*, 25 Md. 146; *Griffin v. Leslie*, 20 Md. 18; *Raab v. State*, 7 Md. 483; *State v. Shillinger*, 6 Md. 449; *Wright v. Hamner*, 5 Md. 370; *Negro Jerry v. Townshend*, 2 Md. 274; *Stewart v. State*, 1 Md. 129; *Price v. State*, 8 Gill, 295; *Peters v. Van Lear*, 4 Gill, 262; *Cromwell v. State*, 12 G. & J., 257; *Oliver v. Palmer*, 11 G. & J. 144; *State v. Dashiell*, 6 H. & J. 269; *Queen v. Neale*, 3 H. & J. 158.

Cited but not construed in *Worman v. Hagan*, 78 Md. 164.

As to the removal of cases from courts of law to courts of equity, see sec. 115.

As to a case removed upon a question reserved for the court in *banc*, see sec. 123.

As to the removal of a case ordered by the court of appeals, see art 5, sec. 23.

As to costs in removed cases, see art. 24, sec. 1. *et seq.*

1908, ch. 417.

**103.** In all cases where a suggestion for the removal of a cause is filed, as provided in the preceding section hereto, it shall be the duty of the clerk of the court in which such suggestion is filed to notify counsel for all parties interested as soon as the record in such case is made up for transmission to the court to which the same has been directed to be removed, giving such parties a reasonable opportunity for the inspection of such record, and no cause so removed shall stand for trial in the court to which sent unless it shall appear from the record so transmitted either that such opportunity to inspect the record has been given as aforesaid or that such inspection has been waived, either by a written statement to that effect filed in the cause or by the lapse of the time prescribed in the notice sent by the clerk, as aforesaid. This section not to apply to Baltimore city.

1908, ch. 541.

**104.** In addition to the right of removal, provided for in section 102 of this article, any party to any suit or action at law, issues from the orphans' court, or suit in equity, and in all cases of presentments or indictments for offenses which are or may be punishable by death, shall have the further right of removal as follows:—upon suggestion in writing under oath of either of the parties to said proceeding, or of their respective attorneys that such party cannot have a fair and impartial trial in the court in which the same may be pending, the said court shall order and direct the record of proceedings in such suit or action, issue, presentment or indictment to be transmitted to