

some court of the judicial circuit of this State adjoining the judicial circuit of which the court in which said action or suit at law, suit in equity, issues from orphans' court, presentment or indictment, is pending is a part; and the said court to which the record of proceedings in such suit or action, issue, presentment or indictment may be transmitted, shall hear and determine the same in like manner as if such suit or action, issue, presentment or indictment had been originally instituted therein. Provided, that the provisions of this section shall apply only to the counties of St. Mary's, Prince George's, Charles and Calvert.

1904, art. 75, sec. 103. 1888, art. 75, sec. 98. 1868, ch. 180. 1874, ch. 364.

105. When any suit or action, issues or petition, presentment or indictment for offenses which are or may be punishable by death shall be removed according to the provisions of section 102, it shall and may be lawful for the party at whose instance the said suit or action, issues or petition, presentment or indictment was not removed, if he shall think that justice cannot be done him in said court to which said suit or action, issues or petition, presentment or indictment has been removed, to file an affidavit, as prescribed by section 102, in said court to which said removal is ordered, suggesting that he can not have justice in such court, whereupon the said court shall remove the said cause, suit or action, issues or petition, presentment or indictment, to such other court having jurisdiction in such cases as the said court shall think will best tend to justice between the parties to the said suit or action, issues or petition, presentment or indictment. When any presentment or indictment for offenses which are not or may not be punishable by death shall be ordered to be removed under the provisions of section 102 no removal shall be ordered by the court to which the same shall have been removed, upon the application of the party at whose instance such presentment or indictment was not removed, unless in the exercise of its discretion the said court shall be satisfied by proof that such removal is necessary for the purpose of a fair and impartial trial.

The act of 1868, ch. 180, held applicable and this section applied. *Price v. Nesbitt*, 29 Md. 266. *Cf. Hoshall v. Hoffacker*, 11 Md. 364.

Ibid. sec. 104. 1888, art. 75, sec. 99. 1860, art. 75, sec. 76
1860, ch 159, sec. 3. 1865, ch. 187. 1868, ch. 180.

106. It shall be in the power and discretion of the court, should they think it proper, to cause a special panel of forty-eight jurors to be selected by the sheriff from the community at large to try any cause or causes removed under sections 102 and 105, and the court shall direct the clerk thereof to divide by ballot said number of jurors into two panels of petit jurors, and may take such order for regulating the attendance of said panels as the said court shall see fit, and the said court may direct talesmen to be summoned in said cause or causes whenever necessary.