

1904, art. 75, sec. 105. 1888, art. 75, sec. 100. 1860, art. 75, sec. 77. 1860, ch. 159, sec. 4. 1865, ch. 187. 1868, ch. 180.

107. In all criminal cases removed as aforesaid, where the party to be tried therein is detained in jail, the party so detained shall not be removed until the first day of the session of the court to which said case shall be removed.

Ibid. sec. 106. 1888, art. 75, sec. 101. 1860, art. 75, sec. 78. 1860, ch. 159, sec. 5. 1865, ch. 187. 1868, ch. 180.

108. Any of the said circuit courts, to which any cause or causes may be removed under the preceding sections, shall allow such compensation, not exceeding the sum of forty dollars in any one case, to the state's attorney, for his services in appearing to or trying said cause or causes, as they may deem just and proper, to be borne and paid by the county from which said cause or causes may be removed, or by the city of Baltimore, as the case may be.

The allowance of compensation to an officer of the court, in addition to the sum allowed by law and not to exceed a certain sum, is a judicial and not a clerical act which must be evidenced by an order entered under the authority of the judge. This section and sections 74, 75, 76 and 77 of article 75, of the code of 1860, dealing with compensation in removed cases, construed. *Baltimore City v. Baltimore County*. 19 Md. 562.

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

As to state's attorneys, their duties, compensation, etc., see art. 10, sec. 20. *et seq.*

Ibid. sec. 107. 1888, art. 75, sec. 102. 1860, art. 75, sec. 79. 1806, ch. 90, sec. 9. 1853, ch. 10.

109. If it shall appear to any court to which any civil or criminal case has been removed, that the transcript of the record in said case is not a true transcript of the record or proceedings had in the court from which the said case has been removed, it shall be the duty of the court to which the case has been removed forthwith to order and direct that the said imperfect transcript shall be delivered to the clerk of the court from which the same was sent; and it shall be the duty of said clerk receiving such transcript so to him returned, to correct the same forthwith, noting at the end thereof the corrections so made, or to prepare a new transcript of the said record, which shall be correct in all its parts.

Ibid. sec. 108. 1888, art. 75, sec. 103. 1860, art. 75, sec. 80. 1853, ch. 10.

110. The court to which any imperfect transcript is sent shall have power to order the delivery thereof to the clerk of the court from which the case was removed as often as may be necessary to the perfection of said transcript as a true copy of the record in the case; and the court to which such case is removed shall proceed with the trial thereof at as early a day as may be; and all recognizances and other proceedings had in the court to which the case is removed shall be as good and valid as if the transcript of the record originally transmitted had been correct in all its parts.