

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 removal of cases from courts of law to courts of equity, see sec. 124. As to case removed upon question reserved for court in *banc*, see sec. 132. As to removal of a case ordered by court of appeals, see art. 5, sec. 27. As to costs in removed cases, see art. 24, sec. 1, *et seq.*

See art. 4, sec. 8, Md. Constitution.

An. Code, sec. 103. 1908, ch. 417.

110. 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.

An. Code, sec. 104. 1908, ch. 541.

111. In addition to the right of removal, provided for in section 109 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 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.

An. Code, sec. 105. 1904, sec. 103. 1888, sec. 98. 1868, ch. 180. 1874, ch. 364.

112. 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 109, 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