

a copy of his docket entries therein to some justice of the district where the defendant or one of the defendants resides; but if the defendants reside in different districts then the justice shall transmit the papers to some justice in the district where the defendant resides who elects to have the case removed; but on the day first fixed for trial either plaintiff or defendant may appear before the justice about to try the case and make oath that he does not believe that he can have a fair and impartial trial before such justice, and thereupon such justice shall transmit the papers with a copy of the docket entries to some other justice of the same district, or if there be no other justice in the same district qualified or able to act, then to some justice of an adjoining district, or upon request of both plaintiff and defendant, he shall transmit the papers to some justice of Election District No. 7 of said county for trial; and whenever a case has been removed either upon the return day or upon affidavit being made as aforesaid, the case shall stand for trial on the eighth day from the day of removal, unless the parties shall agree upon a different day, and the justice shall enter the day for such trial on his docket, and no postponement upon or after the first day fixed for trial shall be allowed except for removal or for some other good or sufficient reason shown to the justice, or upon the request of both parties, and no postponement shall be granted for more than fourteen days at any one time; provided, that nothing herein shall interfere with the right of the defendant in a criminal case to elect to be tried by a jury, or to be tried by the circuit court under any Act allowing such election, and the party asking for a removal, whether upon election or upon affidavit, shall pay the cost which have accrued before the justice granting the removal, which costs shall await the final disposition of the case.

P. L. L., 1888, Art. 10, sec. 198. 1870, ch. 434.

348. The justices of the peace in and for Dorchester, Charles, Caroline, Carroll, Harford, Kent, Prince George's, Queen Anne's, Worcester, Anne Arundel, and Calvert Counties, shall have jurisdiction over and may take cognizance of all actions of assault and battery in which the damages claimed do not exceed the sum of one hundred dollars; and also criminal jurisdiction in all cases of assault and battery committed in said counties, unless it shall appear to the said justices of the peace, upon the hearing of the case, that the said assault and battery was committed with intent to kill.

P. L. L., 1888, Art. 10, sec. 199. 1870, ch. 434.

349. In all such cases before the justice of the peace in and for the counties above named, either party shall be allowed an appeal to the circuit court for the county in which the offense was committed, where they shall be tried *de novo*, and all such appeals shall be taken in such manner as is now provided for by law in other cases of appeals from judgments of justices of the peace.