

determined, shall immediately thereafter forward a copy of the docket entries in said case to the clerk of the Court where the said cause was originally instituted, and said docket entries shall immediately, upon receipt of same be entered upon the docket by the clerk of the Court where said cause was originally instituted.

An. Code, 1924, sec. 121. 1912, sec. 112. 1904, sec. 110. 1888, sec. 105. 1856, ch. 322, sec. 2.

121. Any such execution shall be directed to and served by the sheriff or coroner, as the case may be, of the county or city in which the case was originally instituted, and returned to the circuit court for the county of which he is sheriff, or to the superior court of Baltimore City, if in said city; and it shall be sufficient for the plaintiff, to entitle himself to the benefit of such execution, to produce before the court to which the same shall be returnable, a short copy of the judgment by him obtained, attested by the clerk of the court before which the same is had.

This section referred to in construing sec. 119—see notes thereto. *Browning v. Loraw*, 58 Md. 525.

An. Code, 1924, sec. 122. 1912, sec. 113. 1904, sec. 111. 1888, sec. 106. 1815, ch. 149, secs. 1, 2.

122. Every court to which any cause may be removed shall have power to issue a warrant of re-survey, order, or other process, to the sheriff, surveyor, or other officer of the county from which such cause has been removed, or to the sheriff or other officer of any other county; and the sheriff, surveyor or other officer shall be bound to execute and obey the same in the same manner as if issued from the circuit court for the county from which such cause was removed, or for the county in which such sheriff, surveyor or other officer may reside; and upon neglect of any sheriff, surveyor or other officer to execute and obey such warrant of re-survey, order or other process, the court in which such cause is pending, and to which such warrant of re-survey, order or other process is returnable shall, on motion and proof of delivery thereof, amerce such sheriff, surveyor or other officer not exceeding two hundred dollars, and enter judgment against him in the name of the State, but for the use of the party aggrieved by such neglect, who may issue execution thereon as upon other judgments.

An. Code, 1924, sec. 123. 1912, sec. 114. 1904, sec. 112. 1888, sec. 107. 1874, ch. 94.

123. Until the record in any cause has been actually transferred from the court passing the order of removal to the court to which it is removed, the court passing the order shall have power to strike out the order of removal, on motion of the party applying for the same, and when so stricken out the cause shall proceed as if no motion for removal had been made; but the motion for removal shall not be renewed by the same party after the expiration of the term at which the order for removal was stricken out; provided, that no such motion to strike out an order for removal shall be entertained, unless the same shall be made in time to admit of the trial of the cause at the same term of the court at which said order for removal was passed.

This section was not intended to be restrictive, but enlarging. It does not militate against right of the court in which the action originated, up to time the record is actually transmitted, to change court to which the case is removed. *Atlantic, etc., Co. v. Maryland, etc., Co.*, 64 Md. 305.

This section is merely declaratory of a power which courts already had. *Seth v. Chamberlaine*, 41 Md. 195; *Atlantic, etc., Co. v. Maryland, etc., Co.*, 64 Md. 304. And see *Manly v. State*, 7 Md. 147.