

tion in cases when all the judges of said court may be disqualified, under the provisions of the constitution, to sit in any such case; and said court to which the record of proceedings in such suit or action, issue, presentment or indictment may be so 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.

*Queen v. Neale*, 3 H. & J. 158. *Michael v. Schroeder*, 4 H. & J. 227. *State v. Dashiell*, 6 H. & J. 268. *Cromwell v. State*, 12 G. & J. 257. *Price v. State* 8 Gill, 309. *Townshend v. Townshend*, 9 Gill, 506. *Stewart v. State*, 1 Md. 134. *State v. Manly*, 1 Md. 141. *Negro Jerry v. Townshend*, 2 Md. 278. *Wright v. Hamner*, 5 Md. 370. *State v. Shillinger*, 6 Md. 449. *Manly v. State*, 7 Md. 135. *Raab v. State*, 7 Md. 483. *Hoshall v. Hoffacker*, 11 Md. 362. *M. & C. C. of Balto. v. Co. Commrs. of Balto. Co.*, 19 Md. 554. *Griffin v. Leshe*, 20 Md. 18. *Gardner v. State*, 25 Md. 146. *Price v. Nesbitt*, 29 Md. 256. *Deford v. State*, 30 Md. 179. *State v. Gore*, 32 Md. 498. *Kimball v. Harman*, 34 Md. 401. *Adams Express Co. v. Trego*, 35 Md. 47. *Sittig v. Birkestack*, 38 Md. 158. *Seth v. Chamberlain*, 41 Md. 186. *Cooke v. Cooke*, 41 Md. 362. *N. C. R. W. Co. v. Rutlege*, 41 Md. 372. *Geekie v. Harbourd*, 52 Md. 461. *Trayhern v. Hamill*, 53 Md. 92. *Welskittle v. State*, 58 Md. 155. *Murguondo v. Frazier*, 63 Md. 95. *Thomas v. Levering*, 73 Md. 461. *Belair v. State*, 74 Md. 297. *Caledonian Fire Ins. Co. v. Traub*, 86 Md. 86.

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

**103.** 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 the preceding section, 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 the preceding section, in said court to which said removal is ordered, suggesting that he cannot 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 the preceding section no removal shall be ordered by the court to which the same shall have been removed, upon the application of the party at whose