

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.

1888, art. 75, sec. 107. 1874. ch. 94.

112. 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.

Seth v. Chamberlain, 41 Md. 186. *Atl. & G. C. C. Co. v. Md. C. Co.*, 64 Md. 304.

Removal of Cases from Courts of Law to Courts of Equity and Vice Versa.

1896, ch. 229.

113. In every case at law or in equity in which it shall appear that the plaintiff is entitled to some relief or to some remedy, but not in the particular court, or on the side of the court in which the suit is brought or the relief is prayed, the plaintiff shall not on that account be non-suited or the case dismissed; but the case may, in the discretion of the judge presiding in the court in which the suit is pending, at any