

by imprisonment, said Court may sentence such person to imprisonment in the Maryland Penitentiary; and

WHEREAS, Section 109 of Article 75 of the Annotated Code of Maryland (1951 Edition), provides for a right of removal in criminal cases punishable by imprisonment in the Maryland Penitentiary; and

WHEREAS, it is the intent of the General Assembly of Maryland that the right of removal provided in Section 109 of Article 75 of the Annotated Code of Maryland (1951 Edition), in cases of offenses punishable by imprisonment in the Maryland Penitentiary should apply only to those offenses where the particular penal statute defining such offense provides for punishment in the Maryland Penitentiary; and it is not the intent of the General Assembly that the said right of removal should apply to all offenses which might be punishable by imprisonment in the Maryland Penitentiary as provided by Section 794 of Article 27 of the Annotated Code of Maryland (1951 Edition); now therefore

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Section 109 of Article 75 of the Annotated Code of Maryland (1951 Edition), title "Pleading, Practice and Process At Law," sub-title "Removal of Causes," be and it is hereby repealed and re-enacted, with amendments, to read as follows:*

109. The parties to any cause may submit the same to the court for determination without the aid of the jury; and in all suits or actions at law, issues from the orphans' court, or from any court sitting in equity, and in all cases of presentments or indictments for offenses which are or may be punishable by death or by imprisonment in the Maryland Penitentiary, *as provided in the particular penal statute defining said offense and not as provided by Section 794 of Article 27 of the Annotated Code of Maryland (1951 Edition)*, pending in any of the courts of law in this State having jurisdiction thereof, upon suggestion in writing, under oath, of either of the parties to said proceedings, 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 other court having jurisdiction in such case for trial; but in all other cases of presentment or indictment pending in any of the courts of law in this State