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Commissioners had no jurisdiction in the matter. On page 365, however, of this case, the court use the following significant language:

"If the County Commissioners had acted within the scope of their legitimate authority, and had removed the relator for any of the causes specified in the statute, after having given him due notice and an opportunity to be heard, their action would not be open to review upon application for the writ of mandamus".

And again on page 366, where, after stating that the County Commissioners' act was a nullity and utterly invalid, the court added:

what we have said is not to be understood as applying to a class of cases where there is no limit fixed to the term of the office, and the appointee holds merely at the will of the appointing power; nor to another class, where the power of removal is vested by statute in the discretion of any person or body of persons; nor where it depends on the exercise of personal judgment as to whether the cause for removal be sufficiently good, citing State ex. rel. O'Neill v. Register et al., 59 Md., 283.

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In other words, it seems to me that what the court decided was that it has the right to review the action of the removing power, in order to ascertain whether or not,

Pirst, there was due notice given to the party proceeded against:

Second, whather he had an opportunity to be heard in his own defense;

Third, whether the charges specified, if sustained, constitute just cause for removal,

and that, where these jurisdictional facts appear, the decision on the merits of the case must be left to the honest judgment and discretion of the person clothed with the power of removal.

The power to decide questions of fact must of necessity be finally lodged somewhere, and the language of Judge Alvey in McBlair vs. Bond, 41 Md., 157, quoted by the court in Townsend vs. Kurts in 83 Md., on page 347, is very apt. That language is as follows:

"In the course of the argument it was strongly urged that such construction should not be adopted if any other could be maintained, as thereby an incumbent of the office would be subject to causeless and unwarrantic removal