

5. The Governor may appoint a private Secretary, who shall hold his office during the pleasure of the Governor, and perform all the duties of a messenger to the Governor, and shall receive an annual salary of eight hundred dollars.

6. The Governor is authorized and required, whenever sentence of death is pronounced on any criminal by the judgment of a court of this State, to issue a warrant to the sheriff of the county or city who ought by law to execute such judgment, ordering and directing the sheriff to execute said judgment at such time as in his warrant he shall appoint.

7. The Governor, upon giving the notice required by the Constitution, may commute or change any sentence of death into confinement in the penitentiary or banishment, for such period as he shall think expedient, and on giving such notice he may pardon any person convicted of crime, on such conditions as he may prescribe.

8. If any person pardoned on condition of leaving the State, shall return contrary thereto, such person may be arrested by warrant from any judge or justice of the peace, and if on examination it shall appear to such judge or justice that there is reasonable ground to believe that the person arrested is the same person who was convicted and pardoned, and that he returned contrary to the terms of such pardon, he shall be committed to the prison of the county or city where arrested, and the sheriff shall bring him before the first Circuit Court for the county, or if in Baltimore city before the first Criminal Court of Baltimore which shall happen thereafter; and if on appearing, such person shall acknowledge himself to be the same person pardoned on condition of leaving the State, and that he returned contrary thereto, the court shall record such confession and proceed to pass judgment according to law; and if the person shall deny that he is the same person convicted and pardoned as aforesaid, or that he returned contrary thereto, the court shall direct the fact to be tried by a jury, and if they find against the person, the court shall pass such judgment as the law requires for the crime committed.

9. The Governor may remit the whole or any part of any recognizance which may be forfeited; *Provided*, the judge of the court in which such forfeiture took place shall recommend the remission of the whole or some part thereof.