

An. Code, 1924, sec. 20. 1912, sec. 8. 1904, sec. 8. 1888, sec. 8. 1782, ch. 12, sec. 1.  
1904, ch. 552.

47. 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. And provided further that the governor may remit the whole or any part of any recognizance taken by a justice of the peace and forfeited upon recommendation of said justice of the peace, or upon such other recommendation or statements of the fact as the governor may deem satisfactory.

An. Code, 1924, sec. 21. 1912, sec. 9. 1904, sec. 9. 1888, sec. 9. 1828, ch. 129, sec. 17.

48. The part of any fine or forfeiture belonging to an informer shall not be remitted by the governor, but he may remit any fine or forfeiture, or any part thereof, not belonging to an informer.

An. Code, 1924, sec. 22. 1912, sec. 10. 1904, sec. 10. 1888, sec. 10. 1832, ch. 155.

49. No *nolle prosequi* shall be granted by the governor but on condition that the cost of prosecution shall be paid by the person applying for the same.

Until condition is performed, *nolle prosequi* is inoperative. *State v. Morgan*, 33 Md. 47.

An. Code, 1924, sec. 23. 1912, sec. 11. 1904, sec. 11. 1888, sec. 11. 1782, ch. 42, sec. 5.

50. The governor may remit the whole or any part of any fine imposed by any militia court martial.

An. Code, 1924, sec. 24. 1912, sec. 12. 1904, sec. 12. 1888, sec. 12. 1786, ch. 22, sec. 2.

51. Upon complaint made against any civil or military officer who can be removed or suspended by the governor, the governor may summon before him any witnesses to testify for or against such complaint, and may allow such witnesses one dollar a day for their attendance, and itinerant charges, and may enforce the attendance of such witnesses in the same manner as the courts may.

Secs. 51, 52 and 53 do not contemplate either a suspension or removal of a civil officer before a hearing. This and the following sections referred to in deciding that Governor had no express power to suspend a civil officer, and that such power was not implied from power to remove upon trial. *Cull v. Whelple*, 114 Md. 84.

Without this section, and secs. 52 and 53, the powers therein given could not be exercised by Governor, such powers not being conferred upon him by implication. *Groome v. Gwinn*, 43 Md. 628. And see *Cull v. Whelple*, 114 Md. 85.

The Governor's proceedings held to be in accordance with secs. 51 to 53. Construction of art. 2, sec. 15, of Md. Constitution. *Harman v. Harwood*, 58 Md. 10. And see *Cull v. Whelple*, 114 Md. 84.

An. Code, 1924, sec. 25. 1912, sec. 13. 1904, sec. 13. 1888, sec. 13. 1786, ch. 22, sec. 2.

52. Upon complaints made under the preceding section, the party complained against shall have a copy of the complaint and notice of the time when the governor will inquire into and examine the same.

See notes to sec. 51.

An. Code, 1924, sec. 26. 1912, sec. 14. 1904, sec. 14. 1888, sec. 14. 1786, ch. 22, sec. 3.

53. The cost arising upon any such complaint the governor may order to be paid, either by the party making the complaint, the party complained against, or the State; and if order to be paid by either of the parties, the governor may enforce the payment in the same manner and by the