

thereof from the guilt of his criminal acts and exempting him from any pains and penalties imposed upon him therefor by law. It shall be presumed that the grantee of a pardon had been lawfully and properly convicted of crime against the State unless the order shall make known that the grantee has been conclusively shown to have been convicted in error.

(b) A partial pardon is an act of clemency, a pardon which has been limited by the terms of the order so as to be of less effect than a full pardon; and which is clearly shown on the face of the order to be a partial pardon.

(c) A conditional pardon is an act of clemency. It is a pardon, the legal operation of which is dependent upon the performance of such conditions precedent or subsequent, as the Governor may specify in the written order. The order shall likewise show whether the pardon is a partial or a full pardon.

(d) A commutation of sentence is an act of clemency, evidenced by a written Executive Order signed by the Governor under the Great Seal, ordering that the grantee shall suffer a lesser penalty for his offense than that imposed upon him by the Court in which he was convicted. A commutation may be absolute or made to depend for its effectiveness upon the compliance with such conditions, precedent or subsequent, as the Governor may provide in the written order.

(e) A parole is a conditional release from imprisonment, granted by the Governor to any of certain classes or prisoners in any adult penal or correctional institution of this State, in the manner provided for in this sub-title. A parole shall be evidenced by an order in writing, and entitles the recipient thereof to leave the institution in which he was imprisoned, and to serve the remainder of his term outside the confines thereof if he shall satisfactorily comply with all the terms and conditions provided in the parole order. Each such paroled prisoner shall be deemed to remain in legal custody until the expiration of his full, undiminished term; and upon having violated the conditions of his parole, shall be remanded to the institution from which he was paroled.

(f) Probation is the conditional exemption from imprisonment allowed any prisoner by suspension of sentence in the Circuit Court for any county of this State or in the Criminal Court of Baltimore. The conditions of any order of probation shall be determined solely by the Judge granting the same.

1939, ch. 406, sec. 47.

**75.** (Division of Parole and Probation.) There shall be within the Executive Department a Division of Parole and Probation; all the powers, duties, and functions of which shall be exercised and performed by a Board of Parole and Probation and the Director of Parole and Probation as hereinafter provided for in this sub-title. All the rights, powers, duties, obligations, and functions of the Parole Commissioner under existing law at the time of the passage of this Act, shall, upon the taking effect thereof, be transferred to, and thereafter be exercised and performed by the Director of Parole and Probation who shall be the lawful successor of the said Parole Commissioner to the same extent and effect as if the said Director of Parole and Probation had been named in said existing laws as the official upon whom the said rights, powers, duties, obligations, and functions were conferred.

All the records of the Parole Commissioner, together with all automobiles and other equipment to which the Parole Commissioner shall hold