

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 the jury; and if they find against the person, the court shall pass such judgment as the law requires for the crime committed.

P. G. L., (1860,) art. 42, sec. 9. 1782, ch. 42, sec. 1.

8. 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.

Ibid. sec. 10. 1828, ch. 129, sec. 17.

9. 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.

Ibid. sec. 11. 1832, ch. 155.

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

State v. Morgan, 33 Md. 44.

Ibid. sec. 12. 1782, ch. 42, sec. 5.

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

Ibid. sec. 13. 1786, ch. 22, sec. 2.

12. 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.

Ibid. sec. 14. 1786, ch. 22, sec. 2.

13. Upon complaints made under the preceding section, the party complained against shall have a copy of the complaint and