

and to enact in lieu thereof eleven new sections to be known as Sections 46, 47, 48, 49, 50, 54, 55, 55A, 55B, 55C and 55D, to be under a new sub-title "Department of Parole and Probation", providing for parole and probation and the establishment and functions of a Division of Parole and Probation; and a Board of Parole and Probation and a Director of Parole and Probation, and designating the cases to be considered for release on parole; and the method and the determination of the terms and conditions and manner of such parole; providing for the procedure to be used in the granting and revocation of paroles; and providing for the appointment of parole officers and other employees, and the supervision by them of persons released on parole or released on probation by the courts of this State; for investigations of applicants for Executive clemency and the supervision by the Director of Parole and Probation of persons released on conditional pardons and the investigation and supervision of persons under suspended sentence by the Courts.

SECTION 1. *Be in enacted by the General Assembly of Maryland*, That Sections 46, 47, 48, 49, 50, 54, and 55, of Article 41 of the Annotated Code of Maryland (1924 Edition), title "Governor—Executive and Administrative Departments", sub-title "Parole Commissioner", be and they are hereby repealed and that eleven new sections to be known as Sections 46, 47, 48, 49, 50, 54, 55, 55A, 55B, 55C and 55D be and they are hereby enacted in lieu thereof under a new sub-title the "Department of Parole and Probation" to read as follows:

46. Definitions: In the construction of this sub-title, the following definitions shall conclusively determine the meaning of the terms used;

(a) A pardon is an act of clemency, evidenced by a written Executive order signed by the Governor under the Great Seal, absolving the grantee 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.