

the agent whom the executive authority demanding him shall have appointed to receive him unless he shall be first taken forthwith before a judge of a court of record in this State, who shall inform him of the demand made for his surrender and of the crime with which he is charged, and that he has the right to demand and procure legal counsel; and if the prisoner or his counsel shall state that he or they desire to test the legality of his arrest, the judge of such court of record shall fix a reasonable time to be allowed him within which to apply for a writ of habeas corpus. When such writ is applied for, notice thereof, and of the time and place of hearing thereon, shall be given to the prosecuting officer of the county or the City of Baltimore in which the arrest is made and in which the accused is in custody, and to the said agent of the demanding state. *If the application for a writ of habeas corpus AFTER AN EXTRA-DITION HEARING ONLY, is denied by the trial court, the denial may be appealed to the Court of Appeals.*

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1963.

Approved April 30, 1963.

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CHAPTER 611

(House Bill 339)

AN ACT to repeal and re-enact, with amendments, Section 721 (a) of Article 66C of the Annotated Code of Maryland (1962 Supplement), title "Natural Resources," subtitle "Water Resources," subheading "In General," relating generally to permits required for the construction or repair of reservoirs, dams or waterway obstructions and excluding therefrom certain shallow depth impoundments in tidal and non-tidal waters for the propagation of muskrats and other wildlife.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 721 (a) of Article 66C of the Annotated Code of Maryland (1962 Supplement), title "Natural Resources," subtitle "Water Resources," subheading "In General," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

721.

(a) From and after January 1, 1934, it shall be unlawful for the State or any agency thereof, any person or persons, partnership, association, private or public corporation, county, municipality or other political subdivision of the State, to construct, reconstruct or repair any reservoir, dam or waterway obstruction; or to make or construct, or permit to be made or constructed, any change therein or addition thereto; or to make, or permit to be made, any change in, addition to, or repair of, any existing waterway obstruction; or in any manner to change or diminish the course, current, or cross-section of any stream or body of water, wholly or partly, within this State, except the tidal waters, without a permit from the Department of Geology, Mines and Water Resources, in writing, previously obtained,