

CHAPTER 515.

AN ACT to add two additional sections to Article 42 of the Code of Public General Laws, title "Habeas Corpus," sub-title "Jurisdiction and Procedure," and to be known as Sections 17-A and 17-B of said Article 42, requiring that notice be given the State's Attorney for the County and City from which any person has been committed to any penal institution, of a hearing in any habeas corpus proceeding brought for the release of such person, and to provide for the correction in habeas corpus proceedings of commitments of Justices of the Peace and transcripts from the courts in cases in which the Justice or court shall appear to have had jurisdiction to hear and determine the case and impose the sentence recited in the commitment or transcript.

SECTION 17. *Be it enacted by the General Assembly of Maryland,* That two new sections be and they are hereby added to Article 42 of the Code of Public General Laws of Maryland, title "Habeas Corpus," sub-title "Jurisdiction and Procedure," and to be known as Sections 17-A and 17-B of said Article 42 and to read as follows:

17-A. Whenever application shall be made for a writ of habeas corpus to inquire into the cause of detention of any person, who shall be confined in any penal institution in this State, it shall be the duty of the Judge granting said writ, upon fixing the time for hearing, to instruct the clerk of the court in which such judge shall then be sitting, to give such notice of the time and place of such hearing to the State's Attorney for the county or city from which such person shall have been committed to such penal institution as will enable such State's Attorney to attend such hearing on behalf of the State.

17-B. Whenever upon a return to a writ of habeas corpus and hearing thereon, it shall appear that any person is detained in any penal institution in this State by virtue of any commitment of any Justice of the Peace of this State or transcript from any court of record of this State, and such commitment or transcript shall show or it shall otherwise appear to the Court that the Justice of the Peace or court by whom or by which sentence was imposed on such person had jurisdiction to hear and determine the case in which such