

plement), title "Habeas Corpus", sub-title "Jurisdiction and Procedure", to be known as Sections 3A, 3B, 3C and 3D, to follow immediately after Section 3 of the said Article, and to read as follows:

3A. Whenever it shall be made to appear to the judge either from the application for the writ or otherwise, that the applicant has previously been granted a hearing on a prior application for release from confinement under the same commitment, it shall be discretionary with the judge whether or not to issue the writ. In exercising his discretion the judge may consider whether new grounds of a substantial nature appear to exist for the granting of the writ or whether the grounds for the issuance of any former writ were fully and adequately presented.

3B. No application shall be dismissed because technical requirements of pleading have not been met, provided it shows that the applicant is unlawfully restrained of his liberty; but the judge considering the case may, at his discretion, dismiss the petition or require it to be amended or otherwise amplified unless the application alleges facts sufficient, if true, to probably show that the applicant is illegally detained. The judge may, in his discretion, make such examination of public records as seems desirable to determine whether the writ should be granted.

3C. The aggrieved applicant may appeal to the Court of Appeals from the refusal to issue a writ or from a final order remanding him or dismissing the proceedings; and the Attorney General or the State's Attorney for Baltimore City or the County in which such application was presented may appeal on behalf of the State. Such appeal shall be taken within ten days. The Record shall be prepared as in appeals in criminal cases and shall include such documents as were considered by the judge and the testimony, if any; or in the absence of a transcript of the testimony, a memorandum by the judge setting forth the substance of the evidence considered by him, and his findings. On appeal, the Court of Appeals may permit a hearing on the original papers and shall disregard technical requirements of pleading and shall be guided only by the justice of the cause and may affirm, reverse, remand or modify the action of the lower Court; and the Court of Appeals may, in its discretion, excuse the delay of the petitioner where his appeal is not taken within the time limited herein, if, in its judgment, such delay has not prejudiced the State and justice requires that the appeal be heard.