

*the custody of the Department of Correction on the original criminal conviction, and he shall begin or resume his period of confinement on said conviction as if he had not been examined for possible defective delinquency.*

(B) IN ADDITION TO THE EXAMINATION PROVIDED IN THE AFOREGOING SUB-PARAGRAPH (A), WHENEVER A REQUEST HAS BEEN MADE TO EXAMINE ANY PERSON FOR DEFECTIVE DELINQUENCY BY THE STATE'S ATTORNEY OR ASSISTANT STATE'S ATTORNEY, CHAIRMAN OF THE BOARD OF CORRECTION, OR BY THE COURT ON ITS OWN INITIATIVE, THEN SUCH PERSON SHALL BE ENTITLED, UPON REQUEST, TO BE EXAMINED BY A PRACTITIONER OF PSYCHIATRY OF HIS OWN CHOICE FOR THE PURPOSE OF DETERMINING WHETHER HE IS A DEFECTIVE DELINQUENT WITHIN THE TERMS OF THIS ACT; AND THE REASONABLE COSTS OF SUCH EXAMINATION SHALL BE DEFRAYED BY THE STATE OF MARYLAND IN SUCH AMOUNT AS MAY BE APPROVED BY THE COURT. THE REPORT OF EXAMINATION MADE BY SUCH PSYCHIATRIST SHALL BE SUBMITTED IN WRITING ADDRESSED TO THE COURT.

8. (*Hearing.*) (*a*) *If the Bureau* INSTITUTION for Defective Delinquents in its report on any individual shall state that he is a defective delinquent, the Court shall summon the individual before it for hearing, and may in its discretion summon other witnesses and secure further evidence. *Upon the application of the State or of the defendant, the Court shall direct any jury impanelled to try such case to find specially, by its verdict, whether the defendant is a defective delinquent; and the Court of its own motion may also direct such an issue to the jury. The defendant* SECURE FURTHER EVIDENCE. UPON THE APPLICATION OF THE STATE, OR OF THE DEFENDANT FOR A JURY TRIAL, OR UPON ITS OWN MOTION, THE COURT SHALL EMPANEL A JURY OF TWELVE PERSONS TO BE SELECTED BY THE COURT FROM THE JURORS THEN IN ATTENDANCE UPON SAID COURT; OR IF THE COURT IS IN RECESS, THE JURORS SHALL BE SELECTED FROM THOSE IN ATTENDANCE AT THE TERM OF COURT AT WHICH SAID PETITION IS HEARD. THE COURT SHALL DIRECT SUCH JURY AFTER HEARING TO FIND SPECIALLY, BY ITS VERDICT, WHETHER THE DEFENDANT IS A DEFECTIVE DELINQUENT AS DEFINED IN SECTION 6. IN THE ABSENCE OF REQUEST FOR FINDING BY A JURY, THE COURT MAY MAKE SUCH DETERMINATION SITTING