

WAS CONVICTED, UNLESS THE PERSON CONVICTED CONSENTS TO HEARING BY SUCH JUDGE. *The court may receive proof by affidavits, depositions, oral testimony, or other evidence, and may order the petitioner brought before it for the hearing. If the court finds in favor of the petitioner, it shall enter an appropriate order with respect to the judgment or sentence in the former proceedings, and any supplementary orders as to re-arraignment, retrial, custody, bail, discharge, correction of sentence, or other matters that may be necessary and proper. The order making final disposition of the petition shall clearly state the grounds on which the case was determined and whether a federal or a state right was presented and decided. This order constitutes a final judgment for purposes of review.*

*645-H. All grounds for relief claimed by a petitioner under this Act must be raised in his original or amended petition, and any grounds not so raised are waived unless the court on hearing a subsequent petition finds grounds for relief asserted therein which could not reasonably have been raised in the original or amended petition.*

*645-I. Any person, including the Attorney General of Maryland or the State's Attorney for Baltimore City or any County, as the case may be, aggrieved by the order of the court or judge passed in accordance with this Act, may within thirty (30) days after the passage of said order apply to the Court of Appeals of Maryland for leave to prosecute an appeal therefrom. Said application for leave to prosecute an appeal shall be in such form as the Court of Appeals may, by its rules, prescribe, and in the event that the Attorney General or the State's Attorney shall forthwith state his intention to file such application for an appeal, the order may be stayed, but the Judge may, in his discretion, admit the petitioner to bail for his appearance when required. If the application to prosecute such appeal shall be granted, the procedure thereafter shall be in conformity with the rules of the Court of Appeals, and the Court may affirm, reverse or modify the order appealed from, or it may remand the case for further proceedings, but if said application is denied, the order sought to be reviewed shall thereby become final to the same extent and with the same effect as if said order had been affirmed on appeal.*

*645-J. This Act may be cited as the Post Conviction Procedure Act.*

SEC. 2. *And be it further enacted, That if any provision of this Act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.*

SEC. 3. *And be it further enacted, That all laws or parts of laws inconsistent with the provisions of this Act be, and the same are hereby repealed to the extent of such inconsistency.*

SEC. 4. *And be it further enacted, That this Act shall take effect on June 1, 1958.*

Approved April 4, 1958.