

burse the sheriff or other officer out of the county fund for any expenses he may be put to in conveying the said prisoners to and from such road, quarry, pit or yard, or in properly guarding the said prisoners while at work on said road or at said quarry, pit or yard, under the direction of the county road representative or representatives, and under such regulations as the sheriff or other officer may deem necessary for their health and safe custody.

§ 645A. Right of appeal of convicted persons.

(a) Right to institute proceeding to set aside or correct sentence.—Any person convicted of a crime and either incarcerated under sentence of death or imprisonment or on parole or probation, including any person confined or on parole or probation as a result of a proceeding before [a trial magistrate (including a judge of the Municipal Court of Baltimore City or of the people's court of any county)] *the District Court* or a proceeding under Article 31B of the Code, title "Defective Delinquents," who claims that the sentence or judgment was imposed in violation of the Constitution of the United States or the Constitution or laws of this State, or that the court [or trial magistrate (including a judge of the Municipal Court of Baltimore City or of the people's court of any county)] was without jurisdiction to impose the sentence, or that the sentence exceeds the maximum authorized by law, or that the sentence is otherwise subject to collateral attack upon any ground of alleged error which would otherwise be available under a writ of habeas corpus, writ of coram nobis, or other common-law or statutory remedy, may institute a proceeding under this subtitle *in the circuit court for the county or the Criminal Court of Baltimore* to set aside or correct the sentence, provided the alleged error has not been previously and finally litigated or waived in the proceedings resulting in the conviction, or in any other proceeding that the petitioner has taken to secure relief from his conviction.

(e) Not substitute for remedies incident to trial proceedings; time of filing petition for relief; other common-law and statutory remedies superseded.—The remedy herein provided is not a substitute for, nor does it affect any remedies which are incident to the proceedings in the trial court [or before the trial magistrate (including a judge of the Municipal Court of Baltimore City or of the people's court of any county)] or any remedy of direct review of the sentence or conviction. A petition for relief under this subtitle may be filed at any time, except that where an appeal has been taken from the judgment of conviction to the Court of Appeals or Court of Special Appeals, it shall not be necessary to appoint counsel or conduct a hearing or take any action whatsoever on the petition, until the judgment of conviction becomes final in the court to which the appeal was taken. No appeals to the Court of Appeals of Maryland or the Court of Special Appeals in habeas corpus or coram nobis cases, or from other common-law or statutory remedies which have heretofore been available for challenging the validity of incarceration under sentence of death or imprisonment shall be permitted or entertained, except appeals in such cases pending in the Court of Appeals on June 1, 1958, shall be processed in due course. Provided, however, that nothing in this subtitle shall operate to bar an appeal to the Court of Special Appeals (1) in a habeas corpus proceeding instituted under § 25 of Article 41 of this Code or (2) in any other proceeding in