

justices of the peace shall have been fulfilled, but the length of the entire period shall in no event exceed the maximum time herein prescribed.

(4) Violation of conditions of suspension or probation—In general.—Said justices of the peace or judges at any time may end such period of probation, or during such period, [or] on written charges preferred under oath, or violation of any condition of probation, may issue a warrant or notice requiring the probationer or person accused to be brought or to appear before the justice of the peace or judge issuing said warrant or notice, to answer such charges of violation of conditions of probation or suspension of sentence, and to fix a date for the hearing of such charge or violation of said conditions. Pending the hearing or determination of such charge, the probationer or person accused may be sent to jail by said justice of the peace or judge, or may be by him released, with or without bail, as said justice of the peace or judge may determine. If at such hearing the person accused be found by said justice of the peace or judge to have violated any of the terms of said conditions of probation, said justice of the peace or judge may revoke the probation granted or suspension of sentence, and may impose any sentence, to take effect from its date, which he might have originally imposed for the crime of which said probationer or person accused was either convicted or to which he pleaded guilty, or nolo contendere; or if neither conviction nor plea of guilty or nolo contendere was had, then the person accused may be tried on said charge.

(5) Same—Determination of charge.—Any charge of violation of the terms of probation or the suspension of sentence shall be heard and determined by the justice of the peace or judge who originally heard the matter and imposed the terms, notwithstanding in the interim he may have been transferred to another station house, and the probationer or person accused shall be sentenced by said justice of the peace or judge; provided, however, that where the term of office of the justice of the peace or judge to whom the matter was originally heard has expired or where said justice of the peace or judge has been removed from office, has died, resigned or has otherwise become incapacitated, then his successor in the station house where he was last assigned shall have full power and jurisdiction to hear and determine the matter and to impose sentence as fully and completely as if the case was originally brought before said successor.

(6) *In Montgomery County, in addition to the above enumerated powers, the judges of the People's Court shall be empowered in any case to:*

- (i) *Suspend sentence generally or for a definite time; or*
- (ii) *Place persons charged on probation without finding a verdict; and*
- (iii) *In either case, make and revise such conditions of, and terminate or enlarge the period of, suspension of sentence and probation as the court may deem proper. In no event shall the length of the entire period of suspension of sentence or probation exceed three (3) years from the date of such suspension of sentence or probation.*

SEC. 2. *And be it further enacted, That this Act shall take effect July 1, 1970.*

Approved May 21, 1970.