

No. 296.

AN ACT

Providing for the widening, altering, or vacating of roads heretofore laid out within the Commonwealth, under the provisions of special acts of Assembly prior to one thousand eight hundred and seventy-three, and known as State roads.

Public highways.

Widening, altering or vacating roads laid out under special acts prior to 1873.

Section 1. Be it enacted, &c., That any road or highway heretofore laid out under the provisions of any special act of Assembly prior to one thousand eight hundred seventy-three and known as a State road and not forming part of any State highway route shall be under and subject to the jurisdiction of the court of quarter sessions of the county in which the same is located, and shall be widened, altered, or vacated in the same manner and by the same procedure as township roads are widened, altered, or vacated.

Approval of Secretary of Highways.

Section 2. No road or highway shall be widened, altered, or vacated under the provisions of this act until the approval in writing of the Secretary of Highways is first obtained; such approval to be filed with the petition to the court of quarter sessions requesting the proposed widening, altering, or vacating.

Repeal.

Section 3. All acts or parts of acts, general, special, or local, inconsistent herewith are hereby repealed.

APPROVED—The 7th day of May, A. D. 1925.

GIFFORD PINCHOT.

No. 297.

AN ACT

To amend section one of the act, approved the nineteenth day of June, one thousand nine hundred and eleven (Pamphlet Laws, one thousand fifty-five), entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," authorizing courts to require defendants placed on probation to pay money for the use of the county, which payments shall not be considered the imposition of a fine or sentence.

Probation of certain convicts.

Section 1 of act of June 19, 1911 (P. L. 1055), amended.

Section 1. Be it enacted, &c., That section one of the act, approved the nineteenth day of June, one thousand nine hundred and eleven (Pamphlet Laws, one thousand and fifty-five), entitled "An act authorizing the release on probation of certain convicts, in-

stead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," is hereby amended to read as follows:

Section 1. Be it enacted, &c., That whenever any person shall be convicted in any court of this Commonwealth of any crime, except murder, administering poison, kidnapping, incest, sodomy, buggery, rape, assault and battery with intent to ravish, arson, robbery, or burglary, and it does not appear to the said court that the defendant has ever before been imprisoned for crime, either in this State or elsewhere (but detention in an institution for juvenile delinquents shall not be considered imprisonment), and where the said court believes that the character of the defendant and the circumstances of the case such that he or she is not likely again to engage in an offensive course of conduct, and that the public good does not demand or require that the defendant should suffer the penalty imposed by law, the said court shall have power to suspend the imposing of the sentence, and place the defendant on probation for a definite period, on such terms and conditions, *including the payment of money for the use of the county, not exceeding, however, the fine fixed by law for conviction of such offense*, as it may deem right and proper; said terms and conditions to be duly entered of record as a part of the judgment of the court in such case. *No such condition for the payment of money shall be considered as the imposition of a fine or a sentence nor prevent the court from thereafter sentencing any defendant under the act under which he or she was convicted, upon violation of his or her parole.*

Court may suspend sentence in certain cases of first conviction.

Payment of money for use of county.

Not to count as payment of fine.

APPROVED—The 7th day of May, A. D. 1925.

GIFFORD PINCHOT.

No. 298.

AN ACT

Prohibiting the discharge of sewage and all drainage, except surface drainage, on or within the legal limits of any public road; and providing penalty.

Section 1. Be it enacted, &c., That it shall and is hereby declared to be unlawful for any person or persons, association, partnership, or corporation to

Public highways.

Prohibiting discharge of sewage on.