

fenders to probation at any time before expiration of sentence.

WHEREAS, the Court of Appeals of Maryland recently held in the case of State ex rel Czaplinski vs Warden 75 A (2) 766, that the power of a Criminal Court to modify sentence in criminal cases expires with the end of the term of court in which rendered, and the decision has cast doubt upon the authority of the Criminal Court of Baltimore City to suspend sentence and grant probation to offenders after the lapse of the term, and

WHEREAS, it is desirable in the opinion of the legislature that the Judges of the Criminal Court of Baltimore shall have the power and authority to suspend sentence and grant probation at any time before expiration of sentence.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That section 277 of the Baltimore City Charter and Public Local Laws of Baltimore City (1949 Edition), title "Probation and Suspension of Sentence" be and it is hereby repealed and re-enacted, with amendments, to read as follows:

277. The Criminal Court of Baltimore City (and the several parts thereof as heretofore, or may hereafter be, instituted), before conviction of any person accused of crime, with the written consent of the person so indicted (including persons appealing from convictions before Police Magistrates and Justices of the Peace assigned to the Juvenile Court and to the Traffic Court in Baltimore City) whether infant or adult; and after conviction or after plea of guilty or of nolo contendere, without such assent, are empowered [during the term of court in which such consent, conviction or plea is had] *at any time before the expiration of any sentence imposed upon such person to*

- (1) Suspend the [imposition of] sentence;
- (2) Place such person on probation before or after commitment and incarceration;
- (3) And in all such cases above named to make such written conditions of suspension of sentence and probation as the Court may deem proper.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1951.

Approved April 27, 1951.