

districts into sections of not less than one mile in length, and to make contracts with persons assessed for road tax in their respective districts to maintain and keep in general repair one or more of said sections from the first day of May to the first day of October in each year upon such terms as said road overseer shall deem best. From time to time such road overseer shall inspect the sections of road under contract as above specified, to see that the work of repair and maintenance is properly done and that the contract is fulfilled, and on the first day of October in each year he shall file with the town clerk a certificate in writing stating which of the contracts made by him have been complied with by the persons liable thereunder, and he shall credit on the road tax list the persons who have performed the obligations under their contracts with the amounts agreed upon in the contracts. In all cases where the contract has not been fulfilled he shall return the road taxes against such person delinquent, as provided in section 1230 of the General Laws of 1905."

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 22, 1909.

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#### CHAPTER 391—S. F. No. 480.

*An Act authorizing courts of record of this state having criminal jurisdiction to suspend sentence and place on probation persons convicted in certain cases, and providing for the control and disposition of such persons.*

Be it enacted by the Legislature of the State of Minnesota:

**Right of suspension of sentence given.**—Section 1. That the several courts of record of this state having jurisdiction to try criminal causes shall have power, upon the imposition of sentence against any person who has been convicted of the violation of a municipal ordinance or by-law, or of any crime for which the maximum penalty provided by law does not exceed imprisonment in the state prison for five years, to stay the execution of such sentence whenever the court shall be of the opinion that by reason of the character of such person, or the facts and circumstances of his case, the welfare of society does not require that he shall suffer the penalty imposed by law for such offense so long as he shall thereafter be of good behavior.

**Stay to be for a definite time.**—Sec. 2. Such stay shall originally be for a definite time; and during such time the person so sentenced may be placed upon probation under the super-

vision of a probation officer in counties where such officer is provided by law, and in other counties under the supervision of some discreet person who will accept such supervision and serve without pay, making report to the court as required. *Provided*, however, that nothing herein contained shall prevent the court from placing such persons under the supervision of a constable, sheriff or police officer specially detailed for that purpose. The court may make such terms and conditions of probation as are deemed suitable and may require a recognizance or other surety conditioned upon the performance of such terms and conditions and may enforce the same. On the expiration of the original period of probation the court may from time to time renew or extend the same for additional definite periods upon such conditions as are deemed proper, *provided*, the total period of such suspension of sentence shall not exceed one year except in case of conviction of a crime the maximum penalty for which is imprisonment for a term exceeding one year, and in such case such total period of suspension of sentence shall not exceed the term of such maximum penalty. The court may in its discretion suspend sentence indefinitely. The court may make such order in or out of term, and at any place within the judicial district in which the case was tried.

**May be released on probation without notice.**—Sec. 3. Before sentence has been indefinitely suspended the court shall have power, in the exercise of its discretion, to revoke the order staying sentence and releasing such person on probation, without notice and at any time or place mentioned in section two (2) of this act, stating in such order of revocation the reasons therefor; in which case the sentence theretofore imposed shall be executed in all respects as though no proceedings under this act has been taken.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 22, 1909.

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#### CHAPTER 392—S. F. No. 535.

*An Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.*

Be it enacted by the Legislature of the State of Minnesota :

**Certificate of health of pure bred cattle required.**—Section 1. All persons selling pure bred cattle or cattle represented to be pure blooded, for breeding purposes, shall, before delivery, make a report to the state live stock sanitary board on blanks