

CHAPTER 136.

[Published March 17, 1869.]

AN ACT to amend section 46 of chapter 164 of the revised statutes, entitled "of offences against the lives and persons of individuals," and sections 6 and 48 of chapter 165 of the revised statutes, entitled "of offences against property."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows :

Section 46
amended.

SECTION 1. Section forty six of chapter one hundred and sixty-four of the revised statutes is hereby amended so as to read as follows: "Any person who shall wilfully and maliciously place any obstruction upon the track of any railroad in this state, or take up or displace a rail or switch or signal, or remove a spike, or otherwise injure, break down or destroy the bridge, road bed or other structures of such railroad, shall be deemed guilty of a felony, and on conviction thereof shall be punished by imprisonment in the state prison for a term of not less than two nor more than ten years."

Section 6
amended.

SECTION 2. Section six of chapter one hundred and sixty five of the revised statutes is hereby amended so as to read as follows: "Every person who shall wilfully and maliciously burn any pile or parcel of boards, wood, railroad ties, timber or other lumber, or any stack of hay, grain or other vegetable product, or any vegetable product severed from the soil but not stacked, or any standing grain, grass or other standing product of the soil, shall be punished by imprisonment in the state prison, not more than two years nor less than six months."

Section 48
amended.

SECTION 3. Section forty-eight of chapter one hundred and sixty-five of the revised statutes is hereby amended so as to read as follows: "Every person who shall wilfully or maliciously break down, injure, remove or destroy any public or toll bridge or railroad, a plankroad or telegraph posts or wires, or any turn-pike or plankroad gate, or any lock, culvert or embankment of any canal, or remove or displace any machinery or fixture of a railway, or uncouple or disconnect any

railway cars, or shall wilfully or maliciously make an aperture or breach in any canal or railway embankment with intent to destroy or with intent to obstruct, impede or prevent the use or operation of the same, or injure the same, shall be punished by imprisonment in the state prison not more than three years nor less than six months, or by fine not exceeding six hundred dollars nor less than fifty dollars."

Approved March 10, 1869.

CHAPTER 137.

[Published March 17, 1869.]

AN ACT to amend chapter 176, of the revised statutes, entitled of the arrest and examination of offenders, commitment for trial and taking bail.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter one hundred and seventy-six of the revised statutes, entitled "of the arrest and examination of offenders, commitment for trial and taking bail," is hereby amended by adding thereto a section as follows, viz: Section 35. Whenever any person charged with having committed an offence shall be brought before any court commissioner for examination in accordance with the provisions of this chapter, if such person before commencement of the examination shall make oath that from prejudice or other cause he believes that the court commissioner will not decide impartially in the matter, then said court commissioner shall transmit all the papers in the case to the nearest court commissioner qualified by law to conduct the examination, who shall proceed with the examination in the same manner as though said defendant had been brought before him: *provided*, there shall be more than one court commissioner in the same town, city or village, and in case there shall be only one court commissioner in any town, city or village, then such court commission-

Amended.

How place of examination of person charged with crime may be changed.