

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.

er shall transmit all the papers in the case to the county judge of the county in which such proceedings shall be had, who shall proceed with the examination in the same manner as though said defendant had first been brought before him: *provided, further*, that no case shall be so removed after a second adjournment had therein, and only one removal shall be allowed in the same case.

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

Approved March 10, 1869.

CHAPTER 138.

[*Published March 17, 1869.*]

AN ACT to amend section 127, general laws 1868, entitled an act to authorize the governor to pay for the expenses of boarding and supporting Wisconsin soldiers in the "St. Mary's hospital of Milwaukee charitable eye and ear infirmary," who are afflicted with diseases of the eye and ear, contracted while in the service of the United States.

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

Amended.

Governor may
furnish board
for indigent sol-
diers at hospital

SECTION 1. Chapter 127 of the general laws of 1868, is hereby amended so that said chapter when so amended will read as follows: Section 1. The governor of this state is hereby authorized to furnish board and support for such indigent Wisconsin soldiers as are afflicted with diseases of the eye and ear, contracted while in the military service of the United States, at the "eye and ear infirmary department of St. Mary's hospital, Milwaukee," as he may deem proper subjects for treatment at said infirmary. Section 2. The governor is hereby authorized to contract with the trustees of such institution for the board and support, and with an oculist for the treatment of the persons mentioned in the first section of this act, and shall be at liberty at any time to put an end to such contract or contracts both as to individual cases, and generally when he