

in the county of La Fayette, for the hearing and trial of issues of law, for the hearing and trial of causes without a jury, for the hearing of motions and transacting of any and all business that may be done at a regular term, except the trial of issues of fact by a jury; said special terms to commence on the first Monday of January, and on the second Monday of July, in each year. When held.

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

Approved March 10, 1859.

Published March 12, 1859.

CHAPTER 56.

AN ACT to amend an act entitled "An act to authorize the commissioners of school and university lands to remit penalties in certain cases," approved March 5, 1859.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That section one of said act is hereby Amendment.
amended by striking out from the first proviso the following words: "Together with interest at the rate of seven per cent. per annum on such interest from the fifth day of March to the time of payment."

SEC. 2. Nothing in this act, or the act to which it is Construction of this act.
amendatory, shall be so construed as to prevent any forfeiture "pursuant to" the provisions of section fifty-eight, chapter twenty-eight, revised statutes.

SEC. 3. This act shall be in force from and after its passage.

Approved March 10, 1859.

[Published March 14, 1859.]

CHAPTER 57.

AN ACT to repeal section 1, of chapter 182, of the revised statutes, entitled "Of offences cognizable before justices of the peace."

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one (1) of chapter one hundred Amendment.
and eighty-three of the revised statutes, entitled "of of-

Proviso.

fences cognizable before justices of the peace," is hereby so amended that it shall read "any person arrested upon warrant issued by a justice of the peace, charged with an assault and battery, may be tried before such justice, and the suit shall be conducted and tried in the manner provided by law, for the trial of criminal cases before justices of the peace; *Provided*, that in no case shall the justice proceed to try any such person until the person assaulted has had sufficient notice to enable him to be present at such trial; *Provided further*, such persons can be found within the jurisdiction of such justice.

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

Approved March 10, 1859.

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[*Published March 12, 1859.*]

CHAPTER 58.

AN ACT concerning Railroad Companies operating their roads.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Relating to
track.

Proviso.

SECTION 1. No railroad company, or other body or person by the direction, authority or consent of such company, shall take up or remove, or cause to be taken up or removed, any part of the iron track laid upon any part of the line of any railroad, so as to stop, prevent or hinder the running or operating of the same, except in so far as may be necessary from time to time to make immediate repairs thereon, without first obtaining authority so to do by special statutory enactment: *Provided*, that this act shall not be construed so as to prevent such company or other body or person from straightening or changing their track; such alteration not to change the general line of the established track, or discommode the original termini or stations; and in case any railroad company or other body or person shall commence the taking up or removal, or threaten the taking up or removal, of any such track, contrary to the prohibition contained in this section, such company, body, or person may, upon the complaint of any resident freeholder of this state, be restrained from so doing by injunction or injunctive order, granted in like manner as in other cases where such injunction or injunctive orders are authorized by law.