

- of larceny in any dwelling house, office, shop, bank, or warehouse, ship, steam boat or vessel, shall be punished by imprisonment in the state prison, not more than three years, nor less than one year, or by imprisonment in the county jail not more than one year, nor less than three months, or by fine not exceeding two hundred dollars.
- Penalty.**
- Offence.** SEC. 2. Every person who shall break and enter, in the night time, or in the day time, any meeting-house, church, court-house, town-house, or college, academy, or other building erected and employed for public use, and steal therein property not exceeding the value of twenty dollars, or who shall commit the crime of larceny in any dwelling-house, office, shop, bank, or warehouse, ship, steam boat or vessel, by stealing therein money or other property not exceeding the value of twenty dollars, shall be punished by imprisonment in the county jail, for the term of six months or less, in the discretion of the court, or by fine not exceeding seventy-five dollars. Justices of the peace shall have jurisdiction concurrent with the circuit court, of the offences mentioned in this section, subject to the right of appeal as in other cases.
- Penalty.**
- Right of appeal.**
- Take effect.** SEC. 3. This act shall take effect and be in force from and after its publication.
Approved March 21, 1859.

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[Published April 9, 1859.]

CHAPTER 205.

AN ACT to repeal so much of chapter twenty-eight of the revised statutes as authorizes or directs the appraisal of school or university lands.

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

- Repealed.** SECTION 1. So much of chapter twenty-eight, of the revised statutes, as authorizes or directs the appraisal of school or university lands, is hereby repealed.
- Relating to] delinquent lands.** SEC. 2. It shall not be lawful for any county treasurer in any county of this state, nor the treasurer of any city or village, to sell any lands for delinquent or non-paid taxes which may have been mortgaged to the state as security for a loan from the school, university, or drainage fund; and if any such lands so mortgaged shall have heretofore been sold, no conveyance shall be made

thereof, in pursuance of the certificate of sale, and the clerk of the board of supervisors, or clerk of the city or village, shall enter upon his records the redemption of all such lands, and the amount due the holder of the certificate shall be paid from the treasury of the county, or from the treasury of the city and village, in which said lands may have been sold.

SEC. 3. The amount paid on account of such redemption shall be returned by the county treasurer to the state treasurer, in the same manner as taxes charged upon school, university, and swamp lands which have been sold by the state, and placed to the credit of the county; and if there shall be no moneys due to the state from any county which shall have returned any such delinquent taxes upon lands mortgaged to the state for loans, the state treasurer is hereby authorized and required to pay out of the proper fund the amount of all such unpaid taxes and interest, and add the same to the amount of interest and penalty due from the party who may have mortgaged any such lands to the state.

Returns to be made by county treasurer.

Duty of state treasurer.

SEC. 4. For the purpose of enabling the clerks of the boards of supervisors of the several counties, and of the cities and villages therein, to comply with the provisions of sections two and three of this act, the register of deeds in such of the counties shall furnish said clerks with an abstract of all mortgages on record in their respective offices given to secure any loan from the school, university or drainage funds of the state.

Duty of register of deeds

SEC. 5. This act shall take effect and be in force from and after its passage.

Take effect.

Approved March 21, 1859.

[Published April 9, 1859.]

CHAPTER 206.

AN ACT to amend section fifty-six, of chapter twenty-three, of the revised statutes, entitled "Of common schools."

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

SECTION 1. Section fifty-six, of chapter twenty-three, of the revised statutes, is hereby amended by adding to said section the following provision: Any person feeling aggrieved by the refusal of any town superintendent to

Amendment, relating to superintendents.