

comply with the requirements of this act, shall be deemed and held guilty of a misdemeanor, and on conviction thereof, fined before any court of competent jurisdiction, in any sum not less than fifty dollars, nor more than five hundred dollars, and shall, in addition, be liable on his official bond in damages to any person injured by such refusal or neglect, to the extent of the injury sustained by reason of the refusal or neglect mentioned in this section.

Refusal or neglect:

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

Approved, December 2, 1869.

CODE OF CRIMINAL PROCEDURE.

CHAPTER 64.

AN ACT TO REESTABLISH A CODE OF CRIMINAL PROCEDURE FOR THE TERRITORY OF WYOMING.

Be it enacted by the Council and House of Representatives of the Territory of Wyoming, as follows :

TITLE I.

Proceedings to Prevent the Commission of Crime.

SEC. 1. Whenever any person shall make complaint in writing upon oath before any justice of the peace or police justice, or other officer authorized by law to examine into charges in relation to the commission of crime, that he has just cause to fear, and does fear, that another will commit any offense against the person or property of himself, his ward, or child, it shall be the duty of the justice before whom such complaint is made to issue a warrant in the name of the territory to any constable of the county, commanding him forthwith to arrest the person complained of, and him to take before such justice, or any other justice named in the same county, to answer such complaint.

Justice to issue warrant, when.

SEC. 2. When the party complained of shall be brought

Recognizance,
when given.

before the justice, he shall be heard in his defense, and all witnesses produced shall be examined upon oath, and if upon such examination the justice shall be of opinion there is just cause for the complaint, he shall order the person complained of to enter into recognizance, with good and sufficient surety, in any sum not less than fifty dollars, nor more than five hundred dollars, for his appearance before the district court on the first day of the next term thereof, and in the meantime that he shall keep the peace, and be of good behavior generally, and especially toward the person complaining.

Default.

SEC. 3. In default of such recognizance and surety as provided in the preceding section, the justice shall commit the person complained of to the jail of the county, there to remain until discharged by due course of law.

Judgment
against com-
plainant.

SEC. 4. But if the justice on the examination shall be satisfied that there is no just cause for the complaint, it shall be his duty to discharge the accused, and render judgment in the name of the territory against the party complaining, for the costs of the prosecution, and the same shall be collected by execution as in civil cases.

Person bound
to appear forth-
with.

SEC. 5. If any recognizance be taken under the provisions of this title in term time of that court to which the same may be returnable, every such recognizance shall require the person bound thereby to appear forthwith before such court.

Delivered to
clerk.

SEC. 6. All recognizances authorized to be taken as aforesaid, either in term time or vacation of that court to which the same may be returnable, shall be delivered or transmitted by the justice taking the same, to the clerk of such court without unnecessary delay, and before the commencement of the term of the court next thereafter to be holden, if such recognizance be taken in vacation; but if the same be taken in term time, then it shall be returned forthwith.

Witnesses ex-
amined on oath.

SEC. 7. The district court to which any recognizance to keep the peace, as aforesaid, shall be returned, shall, upon the appearance of the parties complaining and complained