

ence, has been sustained or necessarily incurred by such purchaser or patentee before notice of such illegal sale or void patent; *provided*, that the commissioner shall not have authority to allow such damages, costs and expenses in any one case more than the sum of one hundred dollars.

Appropriation.

SECTION 3. There is hereby appropriated out of the general fund a sufficient sum to pay any claims allowed by said commissioners under this act, and all acts or parts of acts in conflict with this act are hereby repealed.

SECTION 4. This act shall take effect from and after its passage.

Approved March 6, 1877.

[Published March 15, 1877.]

CHAPTER 154.

AN ACT concerning town boards of review.

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

Persons aggrieved may produce witnesses before board of review.

SECTION 1. At the meeting of any town board of review, to equalize the assessment of the property of such town for taxation, it shall be lawful for any person who, feeling aggrieved by said assessment, shall appear before such board for the purpose of asking corrections of such assessment, to call witnesses in support of his application, and such witnesses may be compelled to appear and testify, and for that purpose any justice of the peace of the county shall, on application, issue subpoenas; *provided*, that no witnesses shall be compelled to appear unless upon being first paid or tendered the same fees as witnesses in justice court are entitled to; *and provided further*, that upon payment of such fees, any person, whether a member of the board of review or not may be compelled to appear and testify in behalf either of the town or of any person asking reduction of the valuation of his property.

Person may give evidence as to other property.

SECTION 2. Any person making such application shall be entitled to give evidence not only of the value of his own property, but of any other property included in such assessment roll, which he may claim is assessed too low.

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

Approved March 6, 1877.

[Published March 20, 1877.]

CHAPTER 155.

AN ACT limiting the term of imprisonment of persons committed to jail for non-payment of fines.

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

SECTION 1. Whenever any person is committed to the county jail in any county in this state for non-payment of any fine assessed against him or her by any justice of the peace of said county, on a trial and conviction had before such justice, for a criminal offense, and such person so imprisoned for non-payment of such fine shall make petition on oath to the justice of the peace by whom he or she was committed, or to any other justice of the peace of the county, stating his or her inability to pay such fine, it shall be the duty of such justice to whom such petition is addressed to immediately inform some other justice of the peace of said county of the fact of such petition being made, and the two justices shall fix upon a day for hearing said petition, and notify the petitioner of the day and hour and place of hearing such petition, and also notify the sheriff.

Person imprisoned for non-payment of fine may make petition to justice.

SECTION 2. It shall be the duty of the sheriff of the county where such person is imprisoned, or the keeper of the jail, to produce such prisoner before said justices at the place fixed upon for the hearing of such petition.

Duty of sheriff to produce prisoner before justices.

SECTION 3. At the time set for hearing the petition, the said justices shall attend and receive such testimony as may be adduced in favor of such prisoner, and also such as the district attorney of the county may offer against such application for the discharge of such prisoner, and if upon the examination they are satisfied that such prisoner is a poor person, and unable to pay the fine assessed against him or her, they shall order his or her discharge from prison, upon such prisoner

Justices to hear testimony, and, if found sufficient, discharge prisoner.