

the party applying therefor shall first pay to the opposite party the costs incurred by him for such term, and such reasonable attorney's fees, not exceeding twenty-five dollars, as the court shall require, unless the party moving for such change shall have given notice of the motion ten days before the term, and file his motion for the change on or before the first day of the term.

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

Approved March 23, 1872.

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## CHAPTER 108.

[*Published April 5, 1872.*]

AN ACT for the relief of Floyd Smith, of Faribault county, in the state of Minnesota.

WHEREAS, In January, A. D. 1871, Floyd Smith, a citizen of the state of Minnesota, was arrested in said state, on a requisition from the state of Wisconsin, and thereupon brought to Waukesha county, in this state, on charge of larceny (horse stealing); was confined in the jail of said county of Waukesha on said charge, until the March term, 1871 of the circuit court of said county, when he was tried, convicted and sentenced for the term of five years to the state prison at Waupun for said crime; was thereupon taken to and lodged in said state prison, and there remained at hard labor until June 14, 1871, when on due proof it was ascertained that said Floyd Smith was entirely innocent, and he was thereupon pardoned and released; and

WHEREAS, The necessary expenses of said Floyd Smith caused by such arrest, trial, imprisonment and release have been, as shown to the legislature, the sum of seven hundred and thirty dollars, and himself and family have thereby been reduced to absolute want; and

WHEREAS, The state of Minnesota has appropriated to said Smith the sum of sixteen hundred dollars to indemnify him in part; therefore,

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

Appropriated.

To whom.

Shall execute release.

SECTION 1. That the sum of two thousand dollars be, and the same is hereby appropriated out of any money belonging to the general fund in the state treasury, not otherwise appropriated, as follows: to the state of Minnesota the sum of sixteen hundred dollars, and to Floyd Smith the sum of four hundred dollars to reimburse the state of Minnesota, and in full for any balance that may be justly due said Smith for his expenses in and about such arrest and imprisonment; that before the payment of said four hundred dollars or any part thereof, or unto his authorized agent, he shall make, execute, sign, seal, acknowledge and deliver unto the treasurer of the state, to be filed in his office, a release of all further claim and demand as well against the state of Wisconsin as against any officer or officers thereof, growing out of such arrest and imprisonment; which release shall be duly recorded in the office of the state treasurer as a perpetual record. The said sum of sixteen hundred dollars shall be drawn from the treasurer of this state, upon the order of the treasurer of the state of Minnesota.

SECTION 2. This act shall take effect from and after its passage.

Approved March 23, 1872.

## CHAPTER 109.

[Published April 4, 1872.]

AN ACT to amend chapter 165 of the general laws of 1868, entitled "an act to provide for the visitation of the state prison and the charitable, benevolent and reformatory institutions of the state."

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

Amended.

SECTION 1. Section one of chapter 165 of the general laws of 1868, is hereby amended so as to read as follows: The governor of the state shall, annually,