SECTION 3. This act shall take effect and be in force from and after its passage.
Approved March 6, 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.*

having been confined in such jail, as is provided in the next section of this act.

**When prisoner to be discharged.** SECTION 4. Persons imprisoned for non-payment of fine, may be discharged from imprisonment by such justices of the peace, under the provisions of this act, only upon having been confined in such jail as follows:

On imprisonment for non-payment of fine of five dollars, ten days.

On fine of ten dollars and above five dollars, fifteen days.

On imprisonment for non-payment of fine over ten dollars and not over twenty dollars, thirty days.

On imprisonment for non-payment of fine over twenty and not over thirty dollars, forty days.

On imprisonment for non-payment of any sum over thirty dollars, the person imprisoned may be discharged in the manner now provided by law.

On imprisonment for non-payment of fine over thirty dollars and not over forty dollars, sixty days.

For the non-payment of any fine exceeding forty dollars, seventy-five days.

**Fees of sheriff and witnesses.** SECTION 5. The fees of sheriff, witnesses and justices of the peace in the proceedings under this chapter, shall be the same as is allowed for services in criminal cases, excepting that each of the justices shall be allowed two dollars for each day spent in hearing the application.

**Repealed.** SECTION 6. All acts and parts of acts, contravening the provisions of this act, are hereby repealed.

SECTION 7. This act shall take effect and be in force from the date of its passage and publication.

Approved March 6, 1877.

## CHAPTER 156.

AN ACT to authorize the state treasurer to retain certain moneys belonging to Taylor county, and to pay the same over to the county of Lincoln.

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

**State treasurer to retain money from Taylor** SECTION 1. The state treasurer is hereby authorized and required to retain any and all moneys that may