

when an affidavit for prejudice of the judge is filed," so that said section when so amended shall read as follows: Section 2626. When the place of trial shall be changed, it shall be changed to some county where the cause complained of does not exist; and shall be sent for trial into an adjoining circuit, when an affidavit for prejudice of the judge is filed, and except under the provisions of the next preceding section, no such change shall be made in any action after one continuance had, on the motion of the party applying for a change, unless it shall appear to the court that the cause therefor was discovered or developed after such continuance.

SECTION 2. This act shall take effect and be in force from and after its passage and publication. Approved March 25, 1889.

[No. 208, A.]

[Published March 28, 1889.]

CHAPTER 167.

AN ACT to amend section 1447, of chapter 59, of the revised statutes, relating to cemeteries.

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

Amending sec. 1447 R. S. relating to cemeteries, associations in cities of 100,000 inhabitants may take and hold 160 acres of land.

SECTION 1. Section 1447 of chapter 59, of the revised statutes, as amended by chapter 42, of the laws of 1882, and chapter 165, of the laws of 1885, is hereby amended by inserting after the word, "inhabitants," in the eighth line thereof, the following words, "and less than one hundred thousand inhabitants," and after the words, "sixty acres of land," in the ninth line thereof, the following words, "but when near to and without the limits of a city of one hundred thousand inhabitants or more, such association may so take, hold and use not exceeding one hundred and sixty acres of land," so that said section when amended shall read as follows: Section 1. Any cemetery association which shall have been organized under any laws of this state may take by gift or

purchase, and hold not exceeding forty acres of land, to be held and occupied exclusively for the burial of the dead, and personal property not exceeding ten thousand dollars in value, which shall be applied to promote the objects of the association; but when the cemetery grounds of any such association are situated near to and without the limits of a city of more than ten thousand inhabitants and less than one hundred thousand inhabitants, such association may so take, hold and use not exceeding sixty acres of land; but when near to and without the limits of a city of one hundred thousand inhabitants or more, such association may so take, hold and use not exceeding one hundred and sixty acres of land. Such land or such portion thereof as may from time to time be required for burial purposes, shall be surveyed and divided into lots of such size and with such avenues, alleys and walks as the trustees may deem proper; and maps of said surveys shall be filed and recorded in the office of the register of deeds before any lots designated thereon can be sold and conveyed by the trustees of such association, as provided in the next section, and for a failure so to do, each trustee shall forfeit twenty-five dollars. Every such association and every city, village or town owning land used for cemetery purposes may also take and hold in trust and loan, invest or otherwise dispose of according to the trust money or other property for the purpose of expending the income arising therefrom, or the proceeds thereof, in embellishing and keeping in repair such lot or lots, and the surroundings in its cemetery, as the donor may designate. Every such association may erect upon the lands belonging to it, a suitable building for holding burial services therein.

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

Approved March 25, 1889.